

# JUDAISM

## **Jews With Money**

*Edward S. Shapiro*

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## **Heretics, Infidels and Apostates**

*Stuart L. Charmé*

## **Seating in the Synagogue — Minhag America**

*Robert Gordis*

## **War — Jewish and Christians Perspectives**

*Bradley Shavit Artson*

*Michael Goldberg*

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JUDAISM, conceived as a free and non-partisan organ, is dedicated to the creative discussion and exposition of the religious, moral and philosophical concepts of Judaism and their relevance to the problems of modern society. Through an exploration of the meaning and needs of the Jewish experience, it hopes to widen the channels of communication among Jews and to affirm Jewish verity and vitality to the world at large.

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# JUDAISM

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STATEMENT OF PURPOSE

In increasing measure, modern men are turning again to the quest for a worldview on the issues that are timeless—the meaning of life, the challenge of death, the purpose of suffering, the significance of the individual, his relation to society, and the goal of history. In order to advance this enterprise of spiritual discovery of our time this Journal has been projected. It will be primarily concerned with the philosophy, ethics, and religion of Judaism as a factor in the contemporary world . . .

We are committed to the proposition that Judaism has positive value today for Jews and for the world . . . At the same time, we disassociate ourselves from the dangerous tendency toward the hardening of party lines on the contemporary Jewish scene . . . The members of the Board of Editors belong to every school of Jewish life or to none. The trends popularly referred to as Orthodox, Conservatism, Reform, Reconstructionism, as well as others that as yet have no specific names, have their advocates among us, though no institution or movement is officially represented . . . Undoubtedly, our differences will find expression in these pages, but we shall be at one in opposing the dogmatism which takes for granted that one's own particular standpoint has a monopoly on truth and the authoritarianism which would suppress any contrary point of view.

*Judaism* will be dedicated to the quest for truth in the spirit of freedom. Our columns will be open to anyone who has something significant to say and the ability to say it well. New and unconventional interpretations, whatever their standpoint, will be welcomed from every source, for we share the conviction of the Talmud that "Both these and the others are the words of the living God." *From the introductory article by Robert Gordis, "Toward a Renaissance of Judaism" in Vol. I, No. 1.*

## *The First Reader*

### *The High Proportion of Rich Jews*

In his essay, "Jews With Money," *Edward Shapiro* discusses the high percentage of Jews found among the 400 richest Americans listed in *Forbes* magazine. He points out that frequently Jews have been uncomfortable when attention is directed to their relatively favorable economic position. Some observers, from a radical perspective, regard this status as basically immoral. Others think it potentially hazardous to call attention to it since it may stimulate the slumbering demon of anti-Semitism, which may be found among populist demagogues like Father Charles E. Coughlin and even liberal writers like Jacob I. Riis and Mark Twain.

The author argues, on the contrary, that there is no need to feel apologetic, since America is a profoundly money-conscious culture and Jews are simply expressing the quintessence of Americanism. Moreover, their entrepreneurial activities have been an important factor in the economic development of this country, redounding to the benefit of the American people as a whole. Finally, many of these very rich Jews have made munificent contributions to humanitarian and cultural causes.

### *How Do We Define Jews?*

Few developments in the American Jewish community have aroused as much anger and fear as the emergence of the "Jews for Jesus" movement, or, as they like to refer to themselves, "messianic Jews." In his paper, "Heretics, Infidels and Apostates: Menace, Problem or Symptom?" *Stuart Charmé* offers a balanced and dispassionate account of the movement, its members, its appeal, and the light that it sheds on fundamental problems in the Jewish community. His analysis of the terms "heretics," "infidels" and "apostates" is particularly interesting.

### *American Judaism Is Now Grown Up*

The year 1986 marks the centennial of the Jewish Theological Seminary, the fountainhead of Conservative Judaism and of the Rabbi Isaac Elchanan Theological Seminary, now incorporated into Yeshiva University, the leading Orthodox rabbinical training school in the United States.

Hebrew Union College, the Reform seminary, celebrated its one hundredth anniversary in 1975. Clearly, American Jewry is no longer a youngster to whom all may be forgiven. It has come of age, and must face all the responsibilities of maturity.

Increasingly, historians, sociologists and theologians are turning to an investigation of the character of Judaism, both in its ideological patterns and in its embodiments on the American scene. It is discussed by *Baila Shargel* in "American Judaism — A Survey of the Landscape."

#### *Minhag America*

For several decades the traditional Jewish community has been rent by divisions with regard to the proper seating in the synagogue. It may come as a surprise, therefore, that, in spite of all the fire and fury, American synagogues of all denominations have been evolving in the direction of a common, or at least similar practice. This is undoubtedly the effect of the environment, which grows ever more powerful as American Jews acculturate and, in increasing measure, are born in this country.

The subject is treated by the editor in a paper entitled "Seating in the Synagogue — *Minhag America*."

#### *War and Peace in a Nuclear Age*

For the greater portion of human history, most people have regarded war as a natural and inevitable state of relations among men and nations. Even Plato, in sketching the outlines of the *Republic*, saw the ideal commonwealth of the future as being guarded by a standing army against onslaught by the barbarians outside the gates.

The Hebrew prophets, who had a firm grasp of the realities of international affairs in their day, and the ubiquity of war as an instrument of national policy, were nevertheless the first to conceive of peace as an ideal for human conduct. What is more, they declared that peace was not only a hope for human affairs, but the goal to which all history was inevitably moving.

Today, while the rulers of the world engage in Summitry and diplomats conduct long and tortuous negotiations regarding arms control, the peoples of the earth grow increasingly apprehensive about the dangers and consequences of nuclear war.

Two aspects of this perilous theme are illuminated by papers in this issue. In "The Siege and the Civilian," *Bradley Shavit Artson* analyzes the Jewish view on siege warfare, pointing out that since all civilians are potential victims, nuclear warfare is really a modernized version of the ancient siege. In the second paper, "Jews and Christians on Matters of Life and Death," *Michael Goldberg* maintains that Christianity, taking its point of departure from the sacrifice of the Savior, is basically pacifist and should be opposed to nuclear war under all circumstances. Judaism, on

the other hand, he avers, is dedicated to the struggle against evil and the victory of the right. It can therefore conceivably entertain the possibility even of nuclear war, so long as a community of Jews survives to uphold the holiness of God's name.

*"Cast Us Not Away In Our Old Age"*

For very solid reasons, contemporary Jewish religious thought has been emphasizing the idea of "the image of God" as embodying in a metaphor what is most distinctive about man — the elements of his nature that raise him above the other living creatures. From the days of the author of the magnificent eighth Psalm, through Philo and the rabbis of the Talmud to the present day, the phrase has been interpreted in countless ways, all emphasizing one or another aspect of the uniqueness of man.

What happens when advancing age and physical debility overtake us and, to borrow a rabbinic phrase for a new use, the image is diminished? *Hershel Jonah Matt*, who has devoted many years of his life to serving as a Chaplain to the aged, presents reminiscences and reflections in a deeply moving paper entitled, "Fading Image of God? Theological Reflections of a Nursing Home Chaplain."

*The Bible — Translated and Improved*

By all odds the single most popular book in the past among Jewish women (though it enjoyed great vogue among others as well), is the *Ze'elah U-Re'elah*, an elaborate retelling of the biblical narrative from the standpoint of Jewish tradition. The text is enriched by ethical admonition, legend and folklore and holds up a mirror to traditional Jewish life and thought.

*Joseph Schultz* discusses the book and its major points of interest in his essay, "The 'Ze'elah U-Re'elah': Torah for the Folk."

*Sing Unto The Lord*

Jewish religious music is heard weekly in thousands of synagogues by hundreds of thousands of Jews throughout the world. Yet, one of the most widespread aspects of this experience has attracted far too little attention, i.e., the role of the cantor.

In his paper, "Music For Jewish Liturgy: Art For Whose Sake?," *Lippman Bodoff* pleads for a greater appreciation of the contribution that Jewish music can make and, also, for a harmonization of the roles of cantors and congregants in the service.

*How Does One Serve God?*

More than a century ago, *Mendel Bodek* published a volume entitled *Seder Hadorot Hehadash*, a collection of Hasidic tales. In the introduction, he offered a brief history of Hasidism and its outstanding attributes.

*Samuel H. Dresner* has prepared an abridged translation of this introduction, dealing with the Hasidic virtue of *devekut*, "attachment to God." The author points out that *devekut* need not take the form of ecstatic behavior, but can be manifest in the normal course of life's activities.

*The Beginnings of Psychoanalysis*

Whether psychoanalysis is praised or stigmatized as a "Jewish science," it is becoming increasingly clear that Freud's Jewishness played an important role in his life and work. Other leading figures in the early history of the movement, like Abraham, Ferenczi and Rank, were also Jews. Conceivably, some of the antagonism that psycho-analysis aroused, particularly in Germany and Austria, derived from the solid base of anti-Semitism in European academic and scientific circles. These issues are discussed by *Emanuel Rice* in his review-essay on Dennis B. Klein's *Jewish Origins of the Psychoanalytic Movement*.

*Diversity Within Orthodoxy*

The resurgence of Orthodoxy in our day is due in no slight measure to the attraction exerted by its claim to be an absolute, seamless tradition, unchanged and unchangeable in time and space. Actually, even "modern Orthodoxy" covers a wide spectrum of attitudes and practices.

Though the word has only recently become popular, "pluralism" characterized the Jewish tradition on every stage of its history — biblical, talmudic and medieval — long before the modern organized movements came into being. Orthodoxy is no exception.

In his review-essay of Zvi Kurzweil's presentation, *The Modern Impulse of Traditional Judaism*, *David Ellenson* enters into a dialogue with the author on the interaction of Orthodoxy and modernism.

R.G.

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**RABBI JACOB B. AGUS, ז"ל**

We record with deep sorrow the passing of Rabbi Jacob B. Agus, a member of the Board of Contributing Editors of this journal.

He has left an enduring legacy in his works which reflect his profound Talmudic learning and his creative contributions to the philosophy of Judaism.

יהי זכרו ברוך



# *Jews with Money*

EDWARD S. SHAPIRO

## ONE NEEDS LITTLE IMAGINATION TO FANCY

what Michael Gold (né Itzok Isaac Granich) would have thought of the special issue that *Forbes* magazine publishes every fall listing the four hundred richest Americans. (To be included requires a minimum of one hundred and fifty million dollars.) Gold, the American Communist Party's literary guru of the 1930s, editor of the Communist literary magazine, *The New Masses*, and columnist for *The Daily Worker*, is best known for *Jews Without Money* (1930), a gripping portrait of life on the Lower East Side during his youth. Described by Allen Guttman as "the first important document of proletarian literature," *Jews Without Money* was Gold's answer to the anti-Semitic canard that most Jews were affluent and had a special affinity for making money.

Gold's Jews, by contrast, were hard-working, poor, exploited, and living and working under horrible conditions, conditions which he attributed to capitalism. At one point in the book, Gold's father, a former house painter and now an impoverished banana peddler, pleads with his son:

What a rich country America is! What an easy place to make one's fortune! Look at all the rich Jews! Why has it been so easy for them, so hard for me? I am just a poor little Jew without money. . . . It's better to be dead in this country than not to have money. Promise me you'll be rich when you grow up, Mikey! . . . this is my one hope now! This is all that makes me happy! I am a greenhorn, but you are an American! You will have it easier than I; you will have luck in America!

For Gold, of course, the ideal of becoming rich was a fantasy. Unable to share his father's "naive optimism," Gold's heart sank as he "remembered the past and thought of the future." For a brief time he embraced religion before concluding that socialism and revolution, not the Jewish messiah or economic opportunity, were to be the salvation of East Side Jewry.

O workers' Revolution (he proclaimed), you brought hope to me, a lonely, suicidal boy. You are the true Messiah. You will destroy the East Side when you come, and build there a garden for the human spirit. O Revolution, that forced me to think, to struggle and to live. O great beginning!<sup>1</sup>

What makes the *Forbes* issue so intriguing is that, of the four hundred

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1. Paul Berman, "East Side Story: Mike Gold, the Communists and the Jews," *Radical America*, XVII (July-August, 1983): 39-53; Allen Guttman, *The Jewish Writer in America: Assimilation and the Crisis of Identity* (New York: Oxford University Press, 1971), pp. 140-42.

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richest Americans, at least one hundred are Jews of one sort or another. Thus, twenty-five percent of the richest Americans comes from a group which is less than three percent of the general population. By contrast, the *Forbes* list contains only a handful of Italians, no Hispanics, one black, and a couple of Eastern Europeans, groups which outnumber Jews. (A disproportionate number of America's ordinary millionaires are also Jewish, and the per capita income of American Jews is also far higher than is that of the general population. In part, this reflects the high percentage of Jews who are in business and the professions and who live in urban and suburban areas.) Furthermore, of the fourteen American billionaires, at least four are Jewish: Marvin Davis, the Denver oil mogul and former owner of Twentieth Century Fox; Leslie Wexner, America's leading merchant and head of The Limited, Inc. women's apparel shops; and the Newhouse brothers, Samuel and Donald, who control America's greatest privately owned newspaper, magazine, and book publishing empire. Although the wealthy of Canada are not included in the *Forbes* list, it is noteworthy that the three most prominent business families in that country are all Jewish: the Belzbergs of Vancouver, the Reichmanns of Toronto, and the Bronfmans of Montreal.

The economic and political influence of American Jews is not, however, commensurate with their wealth. An Irving Shapiro, the former chief executive officer of the DuPont Corporation, is still rare in corporate America where power is in the hands of the insurance companies, banks, and industrial corporations that are controlled by non-Jews. Much of Jewish wealth has been acquired in "marginal" fields — entertainment, retailing, real estate speculation — where the economic rewards are often great but are not accompanied by significant power.

Some Jews are embarrassed by references to Jewish affluence for fear that any discussion will encourage the anti-Semitic stereotype of vast Jewish wealth and economic power. The association of Jews with money was a staple of American, as well as of British, literature of the nineteenth and early twentieth century. Jews have an "unquenchable lust for lucre," the American poet, William Cullen Bryant, wrote, while Henry James used the Jew to symbolize greed, commercial exploitation, and the nouveaux riches. In *McTeague*, Frank Norris wrote that it was impossible to look at the Jew Zerkow and not immediately realize that "great — inordinate, insatiable greed — was the dominant passion of the man." Even Mark Twain, normally considered a friend of the Jews, claimed in his essay, "Concerning the Jews," that "The Jew is a money-getter . . . he made it the end and aim of his life to get it." The American press also drew attention to this relationship between Jews and money. In the mid-nineteenth century, the New York *Sunday Dispatch* described Jews as "a nation so fond of money that it would sell its own mother and its own soul for a dime." *The Quarterly Sentinel* agreed. Economic rapacity was "the

Jew's second nature. . . . The lust for gain is so strongly rooted in his organism, that it extinguishes every other feeling, every other passion."

Reformers of the Progressive Era were not immune from an anti-Semitism which saw the Jew as the quintessential capitalist. Jacob A. Riis' *How the Other Half Lives*, the most important muckraking analysis of urban America, asserted that

Thrift is the watchword of Jewtown. . . . Money is their God. Life itself is of little value compared with even the leanest bank account. In no other spot does life wear so intensely bald and materialistic an aspect as in Ludlow Street.

The belief that the Jews have a unique ability to make money has remained a staple of anti-Semitic demonology. (According to one contemporary joke, "When the Pope sang 'Ave Maria', 1,000 persons became Catholics; when Billy Graham sang 'Onward Christian Soldiers' five thousand became Protestants; when Pat Boone sang 'There's a Gold Mine in the Sky' fifty thousand Jews joined the air force.") Marxists, true to the teachings of the founder of their cult, have continued to identify Jews and Judaism (and now Israel) with commercial exploitation and capitalism.

Little wonder, then, that Jews and their friends, despite evidence to the contrary and even though they themselves know better, prefer to deny, ignore, or explain away American Jewish wealth. (The only book-length study of that subject is Gerald Krefetz's *Jews and Money: The Myths and Reality* [1982].) In 1936, for example, the editors of *Fortune* published a small volume entitled *Jews in America* which strenuously argued that, except for the clothing and movie industries, Jewish economic influence in America was insignificant. American Jews themselves argue that real economic power remains in the hands of Anglo-Saxon Protestants who control the banks, insurance companies, and major industrial corporations. Arthur Liebman's *Jews and the Left* (1979) evidences another stratagem of minimizing American Jewish wealth by emphasizing its marginality and precariousness.

This reluctance to deal openly with the reality of the American Jewish economic condition is due, in part, to the novelty of the situation. Jews, after all, are hardly familiar with status and security, even if these stem only from money, and it is not surprising that they should view their situation as exceptional and temporary. "Never in modern history," Gerald Krefetz writes, have Jews "been in such an enviable position of wealth and power," but Jews would prefer to believe, and have others believe, that they are like everyone else, only more so. This stance has the advantage of not attracting attention. History, they believe, teaches that safety stems from anonymity and not from being part of any elite, even if it is only an economic elite. This refusal to admit the reality of American Jewish economic success and the discomfort with this new status, reflect an obsessive sensitivity to gentile opinion and a lack of confidence in American democratic institutions. A continuing psychology of marginality makes it diffi-

cult for Jews to conclude that this is, after all, their country, too, and that they need not be embarrassed by their achievements.

Those who contend that drawing attention to Jewish wealth will lead to anti-Semitism can point to the example of the German sociologist, Werner Sombart, whose volume, *The Jews and Modern Capitalism* (1911), argued that greed and materialism lay at the heart of both capitalism and Judaism. (Not surprisingly, two decades later the author supported the Third Reich.) Influenced by Max Weber's *The Protestant Ethic and the Spirit of Capitalism*, Sombart attributed the rise of capitalism not to Weber's hardworking Calvinists but to Jewish merchants and bankers. As Paul Gottfried has recently pointed out, while Sombart's scholarship was suspect and permeated with a malice toward Jews and Judaism, he was correct in emphasizing the productive role of Jews in the economic modernization of Europe. Despite his "deplorable political judgments," Sombart did provide a real service by challenging the accepted view that Jewish capitalists were "merely products of Jewish self-alienation and Christian discrimination."<sup>2</sup>

Jews, however, attacked Sombart's association of Jews with capitalism, partially because of the anti-Semitic uses to which his thesis could be put and partially because of their own animus toward capitalism. Thus, Michael Gold's essential argument — that capitalism was hostile to the interests of Jews — was, prior to World War II, shared in one form or another by many Jewish spokesmen, among them David Dubinsky, Abe Cahan, Morris Hilquit, Sidney Hillman and Stephen S. Wise. Capitalism was, supposedly, one element in a conservative ideology which encompassed anti-Semitism, autocracy, militarism, and the exploitation of the working class. The Jewish Lower East Side, as Stephen Whifield has noted, was the "burnt-over district" of American leftism. No variety of radicalism failed to attract supporters from its residents, and it was one of the very few areas in the country which ever sent a socialist to Congress.

And, yet, there is no reason why American Jews need be embarrassed by their economic success or by the advantages accruing to them from capitalism. The myth of rags-to-riches occupies a central role in the American mythology and, of all the immigrant economic success stories, none has equalled that of the Jews. (It was appropriate that Horatio Alger, the most famous guru of the success myth, was employed by the Seligman family to tutor their children.) The Jew has become a symbol of capitalist achievement and a living proof of the reality of the American dream. While most of the gentiles on the *Forbes* list made their money in the old-fashioned way through inheritance, the overwhelming majority of the wealthy Jews are self-made, having achieved success through their own talents, determination, successful exploitation of the tax laws, and

2. Paul Gottfried, "Sombart's *The Jews and Modern Capitalism* Revisited," *This World*, No. 3 (Fall, 1982): 138-44.

the good fortune to have been located in sectors of the economy and areas of the country which boomed after World War II. They are the latest chapter in that American cult of success which stretches back to Cotton Mather and Benjamin Franklin.

Just as Mather and Franklin stressed the social responsibilities of wealth, so have most of the Jewish rich contributed munificent sums to cultural, educational, religious, and medical institutions. "Money," Max Fisher stated, "should not control the individual, the individual must control the money." Wealthy and nonwealthy Jews alike contribute more to charity than do their gentile counterparts. The greatest philanthropic enterprise in contemporary America is the annual campaign conducted by local Jewish federations which raises well over a half billion dollars, and this is collected from less than 3% of the population.

Alexis de Tocqueville's classic commentary, *Democracy in America*, written in the 1830s, noted the crucial role of money in the definition of American nationality.

I know of no other country where love of money has such a grip on men's hearts or where stronger scorn is expressed for the theory of permanent equality of property (the Frenchmen wrote). No stigma attaches to the love of money in America, and provided it does not exceed the bounds imposed by public order, it is held in honor.

This quest for riches flowed ineluctably from the democratic character of the United States. While aristocratic societies admired the "turbulent virtues" leading to conquest and warfare, democratic societies admired the "quiet virtues" and "regular habits" conducive to commerce and industry. And while, in aristocracies, people were differentiated on the basis of "birth, standing, or profession," in democracies people were distinguished from one another primarily by the possession of money. "Distinction based on wealth," de Tocqueville reasoned, "is increased by the disappearance or diminution of all other distinctions." Hence, money became the standard by which Americans kept score, and one "usually finds that love of money is either the chief or a secondary motive at the bottom of everything the Americans do."

If de Tocqueville was correct, then the American Jewish nabobs are part of the classic American saga, and their success stamps them as super-Americans. As an editorial in the *Philadelphia Evening Telegraph* in 1972 noted, "Wherever there is a chance for enterprise and energy the Jew is to be found. He brings into every community wealth and qualities which materially assist to strengthen and consolidate its polity." The contemporary historian, John Higham, has concluded that the Jewish emphasis on the materialistic and competitive values of business is also "deeply ingrained in American life."<sup>3</sup>

Ethnic groups have different backgrounds and values, and they pass

3. John Higham, *Send These to Me: Jews and Other Immigrants in Urban America* (New York: Atheneum, 1975), p. 179.



on these values to future generations. Each has made a contribution to American life, but they have all been different. It is naive to suppose that each group possesses the same political skills, intellectual ambitions, or economic talents or has contributed to American life in the same way and to the same degree. Jews should be no more embarrassed by their millionaires (or their violinists, chess players, and Nobel prize-winning economists) than blacks are by their athletes and entertainers, the Irish by their politicians, or the Orientals by their scientists and academicians.

The difference between the Christian and Jewish attitudes toward wealth is striking. The Sermon on the Mount proclaims that “blessed are the poor” and the New Testament declares that “it is easier for a camel to go through the eye of a needle, than for a rich man to enter into the kingdom of God.” The Mishnah, by contrast, asks, “*Mi hu ashir? Hasameah be-helko*,” which can be rendered as “Who is rich? He who enjoys his wealth.” The Saturday night *havdalah* services states:

Blessed shall be your basket and your kneading trough. Blessed shall be the fruit of your body and the fruit of your land, your cattle and your flocks of sheep. The Lord will command the blessing upon you in your barns and in every enterprise to which you put your hand, and will bless you in the land which the Lord your God gives you. The Lord will open his good treasures of heaven for you, to bestow rain in due season on your land, and to bless all your labor, so that you shall lend to many nations but never need to borrow from them.

Jewish thinkers have never viewed poverty as a desirable condition, and there is nothing in Jewish tradition similar to the vow of poverty assumed by monks and nuns. Maimonides' highest degree of charity was providing the destitute with sufficient capital to become self-supporting.

There is a strong strain within Christianity which has argued for the nobility of the poor. Martin Luther King, for example, claimed that the poor better appreciated the teachings of Christianity since they had not been corrupted by materialism. A recent defense of Christian socialism, Andrew Kirk's *The Good News of the Kingdom Coming: The Marriage of Evangelism and Social Responsibility*, claims that, according to Scripture, the private accumulation of wealth “was considered contrary to the terms of God's covenant with his people.” Marxism, in contrast, “has exalted collective freedom — the freedom to enjoy a basically dignified life.” There has never been a Judaic counterpart to Christian socialism or liberation theology with its rejection of private property and private enterprise. Although there have been Jewish socialists, they have generally been estranged from, and even hostile to, Judaism, and traditional Jews have, from the beginning, abhorred socialism. They have not been reluctant to becoming involved in commerce, and many great rabbis have also been businessmen. Among Jews, says Irving Kristol, the spirit of commerce “is perfectly compatible with full religious faith and full religious practice.”<sup>4</sup>

Four decades ago, Robert Merton's essay, “The Self-fulfilling

4. Irving Kristol, *Reflections of a Neo-Conservative* (New York: Basic Books, 1983), p. 316.

Prophecy,” noted the irony of this reluctance of American Jews to acknowledge their economic and social accomplishments.

In a culture which consistently judges the professionals higher in social value than even the most skilled hewers of wood and drawers of water (he wrote), the out-group finds itself in the anomalous position of pointing with defensive relief to the large number of Jewish painters and paper hangers, plasterers and electricians, plumbers and sheet-metal workers.

Furthermore, living in a society which “looks upon wealth as a warrant of ability,” American Jews feel impelled to deny the very success which their culture most admires while they bend over backwards to convince others that they have not played a significant role in the American economy. By contrast, they are not reluctant to trumpet the accomplishments of the Koufaxes, Menuhins, and Jolsons.

This fear that acknowledging the reality of American Jewish economic success will encourage anti-Semitism reflects a psychological insecurity incompatible with the social, political, and economic position of contemporary American Jewry, the openness of American society, and the contemporary insignificance of American anti-Semitism. Thus, three-quarters of American Jews are convinced that most American Gentiles believe Jews have too much economic power, a belief which clearly is not correct if the survey data on Gentile attitudes toward Jews is accurate. Jewish attitudes toward the Jewish wealthy and capitalism is a clear example of psychological dissonance: the incongruity between reality and perceptions of reality and between praxis and ideology.<sup>5</sup>

It should not surprise us that a non-Jew, Stephen Birmingham, has been the chronicler of wealthy American Jews. In three books, *Our Crowd*, *The Grandees*, and *The Rest of Us*, he describes the economic success of America’s German, Sephardic, and eastern European Jews, observing at one point that the achievements of those “brash and young, ambitious and daring” eastern European Jewish entrepreneurs “has been accepted by the rest of the populace with equanimity and respect, without envy or rancor.” It is the inability of Jews to believe that this can possibly be true which explains their reluctance to publicize the American Jewish economic success story.<sup>6</sup>

Over half of the Jewish super-rich are in real estate. (“The Jew runs to real estate,” Jacob Riis wrote, “as soon as he can save up enough for a deposit to clinch the bargain.”) In New York City, except for a few gentile interlopers such as Donald Trump and Harry Helmsley, the great majority of the most successful real estate entrepreneurs are Jews. According to *Forbes*, Laurence and Preston Tisch and Samuel LeFrak are each worth over eight hundred million dollars, while Leonard Stern is worth a paltry

5. Charles E. Silberman, *A Certain People: American Jews and Their Lives Today* (New York: Summit Books, 1985), p. 329.

6. Stephen Birmingham, *“The Rest of Us”: The Rise of America’s Eastern European Jews* (Boston: Little, Brown and Company, 1984), pp. xvi, 357.

five hundred and fifty million dollars and Sol Goldman, Peter Kalikow, Jack and Lewis Rudin, Leonard Marx, and Seymour Cohn are virtual paupers with under a half billion dollars each. Other cities have their own Jewish real estate barons: Alfred Taubman in Detroit, Walter Shorenstein in San Francisco, Melvin Simon in Indianapolis, Monte and Alfred Goldman in Oklahoma City, Mortimer Zuckerman in Boston, Stephen Muss in Miami, and Laszlo Tauber in Washington. Because of the nature of real estate, there is good reason to believe that the *Forbes* issue actually understates the number and wealth of the Jewish super-rich real estate investors.

The Jewish real estate moguls exhibit a refreshing and earthy attitude regarding their success. "I'm not very smart and have mediocre ability," Leonard Marx of New York noted, "I make up for it with hard work." Peter Kalikow's advice was to "assume the person you're dealing with is at least as smart as you are. Then you won't get hurt thinking you can outsmart him." His humility, however, had a limit. "We don't have time to deal with idiots. It takes time from my day." When asked how much he was worth, Samuel LeFrak replied that he didn't know. "If I could count it, it couldn't be very much." He also is fond of the morally obtuse, hackneyed parvenu line: "I follow the Golden Rule: those with the gold make the rules."

The affinity of Jews for real estate has not attracted the attention of many scholars, though one exception is found in Nathan Glazer and Daniel P. Moynihan's *Beyond the Melting Pot: the Negroes, Puerto Ricans, Jews, Italians and Irish of New York City* (1963). Jews, they speculated, gravitated to real estate because it was more open than, say, insurance and investment banking and could be run as a family operation.

Perhaps (they concluded), there is among Jews an accumulation of business acumen, supported by a relatively strong family system that permits mobilization of capital (even if in small sums), and that makes it possible to move into new areas with opportunities for great growth and high profits.

Walter Shorenstein asserted that real estate was an ideal industry for ambitious Jewish entrepreneurs who lacked capital and contacts. "You don't need a factory, you don't need a product, you don't have to invest in inventory, and you don't need to go to school for eight or ten years." Possibly, also, there is something in the Jewish experience of geographical mobility which has influenced Jews, by contrast with Italians, to prize not land but land values.<sup>7</sup>

Not surprisingly, several of the wealthiest Jews made their fortunes in retailing. Leslie Wexner of The Limited stores is a billionaire, and Milton Petrie of Petrie Stores has a fortune over half a billion dollars. Leon Levine of Charlotte, North Carolina, the founder of Family Dollar Stores,

7. Nathan Glazer and Daniel P. Moynihan, *Beyond the Melting Pot: The Negroes, Puerto Ricans, Jews, Italians and Irish of New York City* (Cambridge, Mass.: M.I.T. Press, 1963), pp. 151-55; Silberman, *A Certain People*, pp. 133-36.

Sy Syms Merns of the Syms retail clothing chain, and Sol Price of California are all reportedly worth over two hundred million dollars, while the Rosenwald family of Sears-Roebuck is supposedly worth more than three hundred million dollars.

Several of the Jewish moguls are in publishing. In addition to the Newhouse brothers, there are the Annenberg family, which owns Triangle Publications (*TV Guide*, *Seventeen*, and the *Daily Racing form*), the newspaper publishers Paul and William Block, Arthur Sackler, whose wealth is partially derived from several medical magazines, and the Sulzberger family of the *New York Times*. There are also a handful of rich Jews in the entertainment industry. Sumner Murray Redstone and Richard Alan Smith of Boston each own a chain of movie theater, Norman Lear is an independent television producer, while William Paley's money is from CBS and Lew Wasserman's from MCA.

One should not be startled by wealthy Jewish real estate investors, merchants, publishers, and entertainment moguls. But what is unexpected is the presence of wealthy Jews in American industries not generally associated with Jewish economic enterprise. Paul Kalmanovitz is a brewer, Max Fisher, Leon Hess, the Blaustein family of Baltimore, Armand Hammer, Arthur Belfer, and Marvin Davis are in oil, Maurice Greenberg is in insurance, and Russell Berrie manufactures teddy bears.

While Jews have made significant breakthroughs in heavy industry and finance, they have not as yet accumulated sizable fortunes in high technology. Two decades ago, Glazer and Moynihan predicted that the first important breakthrough of Jews in heavy industry would be in electronics and other highly technical forms of manufacturing, these being areas where Jews would profit handsomely because of their investment in education. (One can also assume that Glazer and Moynihan were rather pessimistic regarding the prospects of Jews storming the citadels of big business and high finance.) Their prophecy did not come to pass. Except for Max Palevsky, the *Forbes* list includes no Jewish equivalents of William Hewlett and David Packard of Hewlett-Packard, Henry R. Perot of Electronic Data Systems, An Wang of Wang Laboratories, Henry Singleton and George Kozmetsky of Teledyne, Gordon Moore of Intel, Steven Jobs and Armas Markkula of Apple Computer, or Kenneth Olsen of Digital Equipment. One possible explanation for this might be that the Jews who gravitate to high technology are similar to Jews who enter academia, in that both groups are oriented toward science and the intellectual pursuits and not toward business and the bottom line.

One of the present-day fears of American Jewish communal leaders is that too many young Jews are going into the professions and academia and not enough into business. From whom will Jewish philanthropies receive the major gifts on which they depend and which they previously received from wealthy businessmen? (Ironically, this is the same Jewish establishment which downplayed Jewish economic achievement, rarely

held up the businessman as a role model, and encouraged the “normalization” of the Jewish economic profile.) Their concern seems to be needlessly alarmist. Judging from the *Forbes* list and other evidence scattered in the sociological literature, there is little indication that the American Jewish passion for “making it” has diminished. The founders of Amoco Gas, Inland Steel, Federated Department Stores, Petrie Stores, Hyatt Hotels, Consolidated Foods, and Levi Strauss have been as significant a part of the American Jewish experience as Louis Brandeis, Woody Allen, Saul Bellow, David Dubinsky, and Emma Goldman. American Jewry will come of age when it recognizes that this achievement should occasion pride and not embarrassment for, as Samuel Johnson remarked in the eighteenth century, “there are few ways in which a man can be more innocently employed than in getting money.”



# *Heretics, Infidels and Apostates: Menace, Problem or Symptom?*

STUART L. CHARMÉ

UNDERSTANDING THE NATURE OF JEWISH identity has become increasingly complicated in the modern world as various Jews have developed ways of expressing their Jewishness that strain and often threaten some of the traditional assumptions of the Jewish community. I would like to present several categories which may be helpful in distinguishing and analyzing some of these anomalous cases of Jewish identity. In so doing, I also hope to show that the different responses of the Jewish community to certain of these threats are not primarily the result of the theological factors in terms of which the problem is normally couched. Rather, they are largely a reflection of the sociological predicament of being a Jew in a non-Jewish world.

The central distinction that I wish to propose was inspired by a remark made by a Jewish professor in one of his religion classes when I was a college student at Columbia University. He recalled being chided by a Gentile colleague for being somewhat of a “heretic” in his treatment of some issue in religion. His response, delivered with mock indignation, was to deny the accuracy of such a label. “My dear fellow,” he said, “I must correct you. I am *not* a heretic. I am an *infidel*.”

Although it did not occur to me at the time, I have since realized that there is an important difference between being a heretic and being an infidel. Within a specific religious tradition, each presents a significantly different problem. Heretics are those who hold to religious beliefs or practices that are at odds with the “majority position” in their religion. They believe; indeed, they believe very fervently. Unfortunately, they believe the wrong things [heterodoxy], at least “wrong” according to the leaders of their tradition, and the consensus of the community [orthodoxy]. Nevertheless, heretics identify themselves with their religion and insist that *their* beliefs are what the religion is *truly* about. Thus, the Christian “heretic” demands to be recognized as the only true Christian, the Jewish “heretic” as the only true Jew. Within Judaism, for example, the Samaritans, Karaites, and Sabbateans each insisted at various times that their group alone represented “true” Judaism.

Heretics do not see themselves as apostates, since they regard themselves as neither traitors to their own religion nor as converts to a new

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religion. Unlike apostates, who totally reject both their old religious beliefs *and* their old communal identity, heretics try to correct the religious beliefs of the tradition at the same time that they continue to affirm their membership in the religious community.

Religious traditions deal with heretical challenges in various ways. In some cases, heretics are persecuted and driven out of the community. At other times, the traditional community simply acts as though the heretic does not exist and ignores the positions that he has taken. In still other cases, the community regards heretics with scorn, but tolerates them in the hope that they can be persuaded to repent and return to the traditional perspective.

When a heretical position is held for too long, however, it soon tends to be regarded as apostasy. During the period of the prophets, for example, those Jews who had strayed into the worship of Canaanite gods were essentially heretical Jews — at first. They were “sinful” Jews, but Jews, nonetheless. While they were exhorted by the prophets to return to pure Judaism, those who persisted in their practices were eventually written off as apostates.

In contrast to *heretic* and *apostate*, the term *infidel* has traditionally been used to refer to those who are *unbelievers* rather than *misbelievers*. The problem which they present to the traditional religious community is not that they believe the wrong things, but that they are essentially devoid of interest and belief in the whole religious system or some major part of it. Therefore, it is inaccurate to call them heretics. Ordinarily, infidels neither claim to be members of the religious group whose beliefs they reject, nor are they regarded as members by the group. Within the history of Christianity, Jews (along with Muslims) have frequently been regarded as “infidels,” i.e., unbelievers, and not as “heretics,” i.e., misbelievers. Curiously, during the Inquisition, it was necessary to reclassify Jews from “infidels” to “heretics” in order to try them. In so doing, Judaism came to be seen not as an independent religion, but as a perverse deviation [heresy] from the true faith. The Jews were accused of knowing the truth of Christianity and deliberately distorting it in the “heresies” found in the Talmud. Judaism became a Christian heresy.

In short, the heretic is usually the threat from within a religion that tests its theological boundaries, while the infidel is the threat from outside the religion. One of the peculiarities of modern Judaism, however, is the fact that one finds *both* Jewish heretics *and* Jewish infidels who equally claim the right to call themselves Jews. Admittedly, some of them may not be Jewish in a traditional *religious* sense, but neither is it legitimate to dismiss their claims of Jewishness on the grounds that they believe the “wrong” things, or nothing at all. It is well-known that Jewish identity includes non-religious dimensions which are no less real simply because they are difficult to define or explain.

I recognize that “heretic” and “infidel” are terms that one encounters

mainly in the study of Christianity.<sup>1</sup> Judaism, in general, has been less concerned with purity and uniformity of belief than Christianity. However, I think it is too frequently overlooked that the issues of heresy and infidelity are highly significant for Jewish tradition as well. The question of heresy in Judaism has always been confusing, since Judaism has neither a central religious authority nor a universally accepted dogma against which heresy can be defined. Therefore, what constitutes heresy is never fixed, and tends to vary with historical developments. What is normative at one point in religious history can become heretical at another. For example, at times, both Hasidic and Reform Jews have been considered heretics by other Jews.

One source of confusion about Jewish identity in the modern world stems from the seemingly paradoxical fact that the modern Jewish “infidel” (e.g., the Jewish secularist or humanist who does not believe in or practice traditional Judaism) is not only tolerated but is possibly even normative for large segments of the Jewish community, whereas one particular kind of Jewish heretic, the “messianic-Jew”<sup>2</sup> (i.e., one who clearly believes in and practices some of traditional Judaism, but also believes certain “wrong” or unacceptable things) is regarded with great alarm by the Jewish community; indeed, the “messianic-Jews” heresy threatens to cast their very Jewishness in doubt, to render them apostates or “former-Jews.” This situation raises two important questions: Why can’t a Jew become a follower of Jesus and remain a Jew? Why does the Jewish community react with greater concern and animosity to this “heresy” than to the pervasive “infidel-ity” of many modern Jews?

### *Background to the Modern Hebrew-Christian/Messianic-Jew Movement*

The Hebrew-Christian movement, which originally developed in England in the late 19th and early 20th century, arose as a result of the historic failure of missionizing among the Jews, who are remarkably resistant to the Gospel message. Particularly in its most recent resurgence, this movement represents a new packaging for an old product. The rea-

1. Jewish tradition, particularly during the Talmudic period, did develop a number of ways of describing religiously deviant beliefs and practices. Since these terms did not always have a consistent meaning in every period of the past and do not have widespread currency today, I prefer to use the English terms that I have mentioned. Nevertheless, the distinctions I am suggesting can still be discerned in the rabbinic terminology. The term *min* is the closest to heretic. One of its primary meanings is a member of a Jewish sect that has embraced positions unacceptable to the rabbis. The Jewish Christians were an example of such individuals. Terms like *kofar* and *apikoros* come closer to what I describe as infidels. They refer to those who are skeptical of certain religious doctrines, or who deny them altogether. Finally, terms like *mumar* or *meshummad* are closest to apostate, since they imply actual defection from Judaism and conversion to another religion.

2. “Messianic-Jew” [or “Hebrew-Christian”] is the term commonly used by those persons of Jewish background who believe that Jesus was the messiah described and expected in Jewish tradition.

son why Jews have never been very receptive to Christian missionizing, it has been suggested, is that they have the silly idea that it is somehow un-Jewish to believe in Jesus. The ideology of the modern messianic Jewish movement suggests that Jews should be approached at the level of their ethnic-national identity and group loyalty and be shown that nothing Jewish need be given up by becoming a follower of Jesus.

Messianic-Jews will argue that believing in Jesus is not really a religious conversion or a betrayal of the Jewish people. On the contrary, it is a legitimate manifestation of Judaism. Indeed, they argue, it is the ultimate Jewish position. Thus, on the pocket card of pointers for messianic Jews who witness to traditional Jews, they are instructed NOT to say Jesus Christ, which does not sound Jewish to the average Jew, but, rather, Yeshua the messiah [or mashiach]. They are NOT to talk about converting, which suggests taking away one's Judaism to become a "goy," but, rather, of "becoming a completed Jew," which suggests adding on to a Jew's Jewish heritage. They are to refer to "Bible-believers" [others say "Jewish believers"], not Christians, "meeting of Bible-believers," not "church," "second part of the Bible," not "New Testament," and "tree," not "cross." In other words, they want to de-Gentilize Christianity.

The goal of the messianic-Jews is to provide a Jewish-like atmosphere where Jews will feel comfortable enough to accept Jesus as the messiah without feeling that they have deserted the Jewish people. By witnessing to their fellow Jews as *Jews* who believe in Jesus, the messianic Jews can show that acceptance of Jesus does not forfeit a person's Jewishness. As a result of this strategy, messianic Jews are often accused of deliberately trying to *deceive* traditional Jews into believing that Jesus is the Jewish messiah; i.e., to trick Jews into becoming Christians. However, since the evidence for such intent to deceive is, on the whole, unconvincing, it is more useful to accept the good intentions of most messianic Jews and to determine whether their position can rightly be called Jewish or whether they have — despite their good intentions — grossly misunderstood Judaism.

One of the things that most irks the Jewish community about the messianic-Jews is this claim that not only are they still Jewish, but that they have "improved," "completed," "enriched," "complemented," or "fulfilled" their Jewishness and, finally, become "whole." It is obvious why this rhetorical approach that emphasizes *adding something* to Judaism is more appealing than the idea of *converting from* Judaism. The messianic-Jews refuse to admit that they have rejected or betrayed some fundamental part of themselves and their upbringing. They do not want simply to be Christians. Rather, they want to erase, or at least blur, the traditional boundary between Judaism and Christianity. Depending on one's perspective, their approach can be characterized as an attempt at either reappropriating central Christian theological points into Judaism, or absorbing Judaism into Christianity. Of course, the underlying assumption of every "completed" Jew is the common Christian notion that Judaism is

somehow *incomplete*, an idea which only indicates an *incomplete* understanding of Judaism.

Most messianic-Jewish groups are profoundly puzzled by the refusal of the Jewish community to consider them Jews, when the same community admits the possibility, however reluctantly, of Jewish atheists or Jewish Zen masters, and accepts the fact that Jesus and his original followers were all Jews and a movement within Judaism. The pamphlets of such groups frequently point to what one messianic Jew calls a "great paradox: How can it be that one who follows a Jew (all of whose original followers were Jews) is no longer Jewish?"

Different strands of the messianic-Jewish movement have developed several basic arguments in defense of the "Jewishness" of their movement. The older Hebrew-Christian movement takes a slightly different stance than do the newer messianic Jewish groups. The Hebrew-Christian groups tend to appeal to ethnic definitions of Jewishness, while the newer messianic-Jewish groups frequently emphasize a religious definition of Jewishness.<sup>3</sup> One common Hebrew-Christian approach is to divorce Jewishness from religion and to see it solely as a question of nationality or race. According to this position, no matter what Jews believe or do not believe, they remain Jews, descendants of Abraham, Isaac, and Jacob. If they are humanists, they are still Jews; if they are atheists, they are still Jews; if they believe in Jesus, they are still Jews. Nothing can eradicate that Jewishness. Such messianic-Jews see themselves as members of the Jewish *people*, but followers of the Christian *religion*. They are simultaneously Jewish and Christian in the same way that one can be simultaneously American and Christian. They insist that there is no danger of their becoming Gentiles by accepting Jesus, because Gentiles, like Jews, are born, not made.

This racial or ethnic approach to Jewishness is more characteristic of the older Hebrew-Christian movement. These groups tend to be opposed to preserving many Jewish practices because they would make acceptance in the fundamentalist Christian community difficult. These messianic-Jews are unlikely to have arks and Torahs or to have a seder during Passover. Very few maintain Jewish practice and identity. Historically, Hebrew-Christians have been completely assimilated, gentilized, and church-acculturated. Jewish members of the movement are gradually assimilated into Christian churches. Thus, the movement is mainly a half-way house to complete apostasy.<sup>4</sup> Within several generations, the members' ties to Judaism disappear completely. Perhaps it would be fair to call such Hebrew Christians semi-apostates.

A newer type of messianic-Jew has arisen in conjunction with recent

3. See David A. Rausch, *Messianic Judaism: Its History, Theology, and Polity* (New York: Edwin Mellen Press, 1982), ch. 6.

4. Ira O. Glick, "The Hebrew Christians: A Marginal Religious Group," in *The Jews: Social Patterns of an American Group*, ed. by Marshall Sklare (Glencoe, Ill.: The Free Press, 1958).



interest in the Jewish roots of Jesus and the church. These messianic-Jews claim a tie with the Jewish Christians of the first century and claim to be Jewish congregations who happen to believe in Jesus. Their goal is not for Jews to be assimilated into Christian churches, but to continue to live as Jews. They present Jesus as a loyal Jew who interpreted the true meaning of the Torah and was in the great tradition of the Jewish prophets.

Unlike the previous approach, these messianic-Jews deny that Jewishness has anything to do with birth at all and their argument usually finds its inspiration in Paul's words to the Romans.

He is not a real Jew who is one outwardly, nor is true circumcision something external and physical. He is a Jew who is one inwardly, and real circumcision is a matter of the heart, spiritual and not literal (2.28-9).

Jewishness is thus defined as an inner spiritual condition, not a matter of birth. One pamphlet called "Who is a Jew?" claims that

... not everyone who is descended from Israel really belongs to Israel and not everyone born of Jewish parents is ipso facto a Jew ... A Jew has to choose to be a Jew; he cannot be one through the sheer incidence of birth. A Jew is not merely a unit in a certain national grouping, but a man, who has personally and out of conviction come into living touch with God. Only then is he a true Jew.

Of course, the messianic-Jew insists that the living relation to God which makes one a "true Jew" can be fully accomplished only through acceptance of Jesus and, specifically, not through the traditional understanding of Torah.<sup>5</sup> Although most of the newer messianic Jews continue to observe some rituals and observances that developed during the rabbinic period, their tolerance of rabbinism is usually limited to the level of ritual practices that probably serve as emotional anchors to their Jewishness. When it comes to religious law and scriptural exegesis, however, the rabbinic tradition is consistently described in such messianic-Jewish literature as a man-made religion lacking in genuine authority or spirituality.

### *Jewish Theological Responses to "Messianic-Jews"*

The prevailing feeling throughout the medieval period was that even baptism into Christianity did not obliterate a person's Jewishness. Rashi took a talmudic maxim from another context — "A Jew, even if he has sinned, remains a Jew" (*Sanhedrin* 44a) — and transformed it into a halakhic principle relating to apostates. Apostates were generally considered Jews who had sinned, but they did not lose their Jewish identity, nor were they transformed into Gentiles. Although they did not enjoy all of the privileges of Jews "in good standing" (e.g., participation in synagogue

5. "Such contact with God does not come by means of the Law, and certainly not through the instrumentality of Tradition — 'the commandments,' which have accumulated through the centuries. ... The Jew, who believes in Jesus Messiah, is a complete and true Jew."

services), they were still Jews for the purposes of halakhah (e.g., matters of marriage and divorce, taking interest, inheritance, etc.).<sup>6</sup> However, while Rashi insisted that even apostates remained Jews despite their sin of apostasy, Maimonides took a much dimmer view. He tended to see Christians [or Nazarenes] as idol-worshippers. Moreover, Maimonides insisted, a Jew who worshipped an idol was no longer to be regarded as a Jew.

The contemporary Jewish position seems to be a combination of both of these perspectives. On the one hand, the Jewish community is reluctant to exclude any Jews from its ranks merely because of philosophical or theological differences, while, on the other hand, Jews who accept certain Christian ideas have passed beyond the pale of tolerance. The Jewish community contends that they have simply gone too far to be still considered Jews.

Although the refutation of Christianity was probably not a great concern of Maimonides, his positions have provided authority for much of the theological polemics against Christianity in general, and messianic Judaism in particular.<sup>7</sup> Rabbinic theology may never have been able to present a list of definitive Jewish beliefs, but Maimonides' thirteen articles of Jewish faith have served as such a creed particularly when it has been necessary to show the Jewish objection to basic Christian theology.<sup>8</sup>

While many Jews today would have difficulty accepting some of Maimonides' articles of faith, and some Jews would have difficulty with most of them, most could probably agree on an underlying principle behind a good number of these points. It could be summed up in a single article of faith. "That which a Christian believes, I will never believe [regardless of whatever else I believe]." Doubtless, many Jews are able to read a similar level of meaning into the words of the morning prayers, "Blessed are You, O god, for not having made me a 'goy.'" Due to the historical tension between Judaism and Christianity, Jews have tended to elevate the *denial* of Christian doctrine to a paramount element of their self-definition. Ironically, the medieval Christian charge that Jews were infidels, i.e., non-believers in the Christian gospel, has been internalized by many

6. Jacob Katz, *Exclusiveness and Tolerance: Studies in Jewish-Gentile Relations in Medieval and Modern Times* (New York: Schocken Books, 1961), pp. 67-76; Jacob Katz, "Though He Sinned, He Remains an Israelite," *Tarbitz*, 27 (1957/8): 203-217; Lawrence H. Schiffman, *Who Was A Jew?* (Hoboken, N.J.: Ktav Publishing House, Inc., 1985).

7. Daniel J. Lasker, *Jewish Philosophical Polemics Against Christianity in the Middle Ages* (New York: Ktav, 1977).

8. In particular, Maimonides' claims about the unity of God, the incorporeality of God, the direct relationship between humans and God, the eternality of the Torah, the truthfulness of the prophets, and the coming of the messiah have been used to repudiate the Christian doctrines of the trinity, the incarnation of God in Jesus, the role of Jesus as mediator between man and God, the end of the Law and the new covenant through Jesus, and the messiahship of Jesus [the messiah is yet to come because the changes expected in a messianic world have not occurred.]

modern Jews who agree on few theological positions *except* for their non-belief in Jesus and the Christian theological principles related to him.

Messianic-Jews see a double standard in the position of the Jewish community. On the one hand, it defines Jewishness in terms of cultural and sociological identification with the Jewish people. The messianic-Jew claims this identification as much as any other Jew. On the other hand, the Jewish community wishes to read the messianic-Jews out of Judaism on the basis of their deviance from traditional religious beliefs. The messianic-Jews see it as hypocritical to exclude messianic-Jews from Judaism by invoking elements of Maimonides' creed, since other Jews are not required to hold strictly to these religious positions, nor are they excluded from Judaism when they fail to do so. In short, the messianic-Jew accuses the Jewish community of *selective enforcement* of its theology as a means of suppressing one particular heretical group. If Jewishness were consistently defined as a religious matter, the messianic-Jews might be able to see why they are not Jews in the sense that traditional religious Jews are. But they find a religious definition of Jewishness somewhat arbitrary in its application, since not all "legitimate" Jews practice the religion of Judaism in all its aspects.

The messianic-Jews have identified some of this theological "bad faith" in their own literature when they criticize the secularity and unbelief of much of modern Judaism. They rightly observe that many modern Jews are religious "infidels." One messianic Jewish pamphlet raises the question of how a Jew could believe that Jesus is the messiah. "Most Jews don't believe in Jesus, do they?" it asks. The response is "You're right . . . but then, when has TRUTH ever been determined by a majority vote? After all, many Jews don't even believe in God!?! And others have NEVER looked at all the prophecies in the Old Testament." Unfortunately, the legitimate issue in messianic-Jews' complaint is often obscured by their tendency to accept uncritically the New Testament identification of the Pharisees [read non-messianic-Jews] as religious hypocrites.

The quick answer to the "paradox" posed by the messianic-Jews lies in an important difference between the modern Jewish infidel and the Jewish heretic. The modern Jewish infidel remains faithful to the community, in spite of theological infidelity, while the messianic-Jew is seen as unfaithful to the community as well as to the religious tradition. The Jewish community finds the messianic-Jew guilty of both ethnic infidelity [by violating group solidarity] and theological heresy. As far as most Jews are concerned, the interaction of these two elements transforms the messianic-Jews into apostates, despite the latter's claims to the contrary. However, to understand fully the dilemma raised by Jews who embrace Jesus as the messiah, one must go back to the origins of Christianity.

*The Situation in the First Century*

At the time of Jesus, there was not one true Judaism or a normative Jewish tradition. In the first few centuries of the Common Era there was, within Judaism, a proliferation of competing sects which disagreed on issues of theology, law, interpretation, politics, etc., but none ever claimed that the others were not Jews. The majority of Jews in the world were common people, who probably had little sense of affiliation to any specific sect at all. The most prominent sects were the Pharisees (forerunners of rabbinic Judaism), the priestly Sadducees (who had rejected the Oral Law) and the ascetic Essenes (who expected the eschaton). Fortunately for the later rabbis, both the Sadducees and the Essenes disappeared by the 2nd century so they provided no further problem for Judaism. However, Jewish histories tend to gloss over the fact that, from the point of view of the later rabbis, all of the Jewish sects other than the Pharisees were technically guilty of heresy in one form or another.

The point that must be made, of course, is that it was only *after* the Pharisees had become the controlling influence in Judaism that the positions of other groups of Jews were retroactively condemned as heretical. It is not even true to say that these groups had strayed from "true" Judaism. What really had happened was that "true" Judaism had evolved and changed. One might even say that, from the point of view of what Judaism had been before, it was the Pharisees whose ideas were heretical. Very often, yesterday's heretics become today's religious authorities. This is not necessarily bad, since the result often is creative evolution within a tradition.

At the same time, it is important to realize that these Jewish heretics did not lose their status as Jews nor were they excluded from the Jewish community. In the first century, even Jewish Christians were still regarded as Jews, as a Jewish sect. In time, the Nazarenes were branded as heretics by the rabbis, most decisively after their failure to support the Bar Cochba revolt. [They had refused to accept Akiba's claim that Bar Cochba was the messiah.] In the wake of the failure of that revolt, they became dispersed, and rabbinic Judaism paid little more attention to them, whereupon they slowly disappeared, like the other heretical Jewish sects.

The initial acknowledgement of the Jewishness of the first followers of Jesus is crucial for the modern messianic-Jewish claim for the Jewishness of the belief in Jesus. Nevertheless, while it is true that Jesus and his original followers were all recognized as Jews, it is also clear that the followers of Jesus did not remain a Jewish sect and Judaism soon dissociated itself from Christianity completely. There is normally a limited life-span for sectarian movements as tolerated alternatives, after which they usually move to become separate traditions, are reabsorbed by the original

tradition, or disintegrate. A sect is like a branch broken from its original trunk. Either it reroots, is grafted back, or dies.

*“Messianic-Judaism” in Historical Perspective*

Criticism of the messianic-Jews’ claims of Jewishness can best be made on a simple historical level rather than a theological one. Speaking from a historical point of view, the major fallacy behind the argument of the messianic-Jews that they are, in fact, Jews is the common Christian misconception that identifies Judaism with the religion of the “Old Testament,” the religion of the ancient Israelites which allegedly stopped its development in the first century. When messianic-Jews use the word “Jew” they mean it in this special sense. They see themselves as “Biblical Jews,” but *not* as the descendents of the rabbinic tradition. They insist that Biblical Judaism was *displaced* by rabbinic Judaism, and that the latter is not “true” Judaism. Since it is rabbinic Judaism that is blamed for the Jewish opposition to belief in Jesus, the messianic-Jews usually discount the last 1900 years of Jewish religious development [or at least large portions of it] as a rabbinic distortion that was not divinely ordained. Others simply neglect to mention it at all.

But to say that the Tanakh or Old Testament alone comprises Judaism is a gross distortion, historically as well as theologically. When rabbinic Judaism, on which modern Judaism rests, is characterized as “un-Jewish” or as a human invention of the Pharisees that is lacking in religious authority, one has redefined Judaism in an unjustifiably bizarre way. The result of this semantic juggling is that the messianic-Jews often come to the strange conclusion that Christianity is more “Jewish” than Judaism. Whether or not the messianic-Jews approve of the developments of rabbinic Judaism, they cannot simply wish them away. Their claim that belief in Jesus does not require giving up anything Jewish, makes sense *only* if one first disregards as “un-Jewish” the rabbinic interpretation of the Bible and ignores almost all of Jewish history and religious development since the first century.

At the same time, the assumption that Judaism is *identical* with the religion of the rabbinic period, i.e., the life of talmud and halakhah, is also a historical distortion, for two reasons. First, within the history of Judaism, there have always been sectarian groups, which the rabbis of the time systematically downplayed, ignored, or rejected, (e.g., Jewish mysticism, hasidism) but which have also enriched and contributed to Judaism. Second, much of modern Judaism has severed its tie to the rabbinic model. Only by recognizing this fact can the phenomenon of the Jewish infidel be understood.

*Emancipation, Religious Pluralism, and the Secular Jew*

It has been mainly in the last two centuries that the question of who or



what is a Jew has become such a confusing issue. The dual effect of the Jewish enlightenment (*haskalah*) and the political emancipation of the Jews in the 18th and 19th centuries radically altered the meaning of being a Jew. During the 1800 years from the destruction of the second temple to the French Revolution, Judaism was relatively monolithic, and Jewish law or halakhah was its unifying force. To be a Jew was to be a member of the Jewish people *and* to be a person who believed in and practiced Jewish religion to a certain degree. The Jewish community had no real place for a non-religious Jew. That was a contradiction in terms. The religious and the national or ethnic dimensions of Jewish identity were inseparable. However, as the Jewish reformers of the 19th century slowly dismantled halakhah as the unifying force behind Judaism, it became possible, for the first time, to abandon Jewish law, or parts of it, without abandoning being a Jew. Today, one can be a religious Jew without being Orthodox regarding Jewish law, and one can probably be a committed Jew without being much of a believer at all. Being Jewish does not *require* a specific theological commitment. Clearly, it is no longer religion pure and simple that unifies Jews in their sense of Jewishness. Recent polls show that only 25% of American Jews say that religion is “very important” to them and less than 15% attend religious services weekly. Rather, Jewishness has to do with loyalty to, and concern for, the Jewish people, and identification with their history and culture. Sociologists have noted that American Jews compensate for the relative weakness of their religious commitment by emphasizing Jewish group loyalty and support of Israel. Jews often join synagogues less because of intrinsic religiosity than to affirm their social identification with the Jewish community. The major function of Sunday school often has been to foster Jewishness [i.e. cultural identification] more than to learn Judaism. In short, what characterizes many American Jews is not what they believe or do, but the fact that they associate and identify with other Jews. Thus, there has grown up a strange new creature who demands a place in Judaism and whom I have dubbed “the Jewish infidel.”

One of the most influential figures of the modern world is also a good example of that new type. Although he rejected every trace of traditional Judaism and said that the only thing Passover was good for was constipation, many Jews are proud to call him “one of their own.”<sup>9</sup> I am referring to Sigmund Freud, who wrote, in his autobiography, “My parents were Jews and I have remained a Jew myself.” Throughout his life Freud felt intensely Jewish; he associated almost exclusively with other Jews, and he credited his Jewishness with giving him the intellectual independence to develop psychoanalysis. But, elsewhere, Freud defiantly announced that he was a “godless” person, “as little an adherent of the Jewish religion

9. Quite a few recent books have focused specifically on Freud’s “Jewishness” as a major factor in his life and work.

as of any other.” In fact, he saw all religion as an infantile illusion, a wish-fulfillment, and a collective neurosis. He even went so far as to propose the incredible theory that Moses, Moshe Rabbenu, was not a Jew at all, but a renegade Egyptian priest who was later murdered by the Jews.

One of my favorite anecdotes about Freud concerns a minor incident that occurred when he was in his 70s. An American doctor wrote to him about a dramatic experience which had led him to accept Jesus as his personal messiah. He asked Freud (as a fellow-physician) to think about the subject with an open mind. Freud wrote back:

I am glad to hear that this experience has enabled you to retain your faith. As for myself, God has not done so much for me. He has never allowed me to hear an inner voice; and, in view of my age, if he doesn't hurry, it won't be my fault if I remain to the end of my life what I now am — “an infidel Jew.”<sup>10</sup>

The emancipation of the Jews not only produced the possibility of the Jewish “infidel;” it also chipped away at the boundary that separated the Jew from the Gentile. The perennial problem of how to live among the Gentiles without becoming one of them became more acute. One result is that for many modern Jews the *sine qua non* of their Jewishness is not primarily an affirmation of some essential Jewish quality (which no one can seem to identify anyway). Rather, the *minimum* that they can agree upon is that to be a Jew is to be unlike the Gentiles in some essential way.

Although atheism is no less serious a religious threat to Judaism than the belief in “false messiahs,” the Jewish atheist is of less concern than the “messianic-Jew” for a simple reason. It is not lack of belief that threatens to dislodge one's Jewishness, nor is it simply following the ways of the Gentiles. To be sure, American Jews have become increasingly assimilated into Gentile culture. However, to embrace the *radioactive core of goyishness* — Jesus — violates the final taboo of Jewishness and brings immediate condemnation. Belief in Jesus as messiah is not simply a heretical Jewish belief, as it may have been in the first century; it has become the equivalent to an act of ethno-cultural suicide. Philip Roth has suggested that one of the things which connects Jews to each other is “an ancient and powerful disbelief, which, if it is not fashionable or wise to assert in public, is no less powerful for being underground: that is, the rejection of the myth of Jesus Christ.” Ironically, Roth continues, this passion with which Jesus is rejected is not always equalled by the passion with which the God of Moses is embraced or approached.<sup>11</sup> It is not so surprising that the Jewish community can tolerate the atheism of Jewish infidels but not the messianic-Jews' belief in Jesus. More than a religious issue is at stake. To accord to Jesus any major role in one's life is not simply to violate a number of religious dogmas; more important, it is to transgress a cardinal

10. Freud, “A Religious Experience” [1928].

11. “Jewishness and the Younger Intellectuals: A Symposium,” *Commentary* (June 1961): 350-1.

social taboo. It removes the one thing that permanently separates the Jew from the Gentile.

The puzzling fact that a Jewish atheist will be accepted as a Jew, while a Jewish believer in Jesus will not, is a result of the mixed nature of Jewish identity. Membership in the Jewish people is most commonly a simple matter of birth that requires no additional religious affirmation. For those whose Jewishness is not established by birth, entry into the Jewish people [or exit from it], has always been seen as a religious matter and occurs only by an explicit act of religious conversion into Judaism [or out of it]. This situation can be compared to the difference between native-born citizens and naturalized ones. Aliens who seek to be naturalized as American citizens are required to study history and civics and to take an oath of loyalty, though neither of these is specifically required of native-born citizens. In addition, citizens (native-born or naturalized) do not lose their citizenship by disagreeing with various principles of their country, but only by swearing allegiance to another country. Similarly, within Judaism a person loses status in the community as a Jew most clearly when he or she accepts another religion and identifies with members of that religion. Jews by birth may choose to be atheists and not lose their Jewishness for the same reason that Americans may be fascists or communists and not lose their American citizenship. Judaism — unlike the state of Israel — does not recognize dual “citizenship.” Therefore, Jewish Christians in effect “denaturalize” themselves from the Jewish people in the act of accepting Christianity. To accept another faith separates one from the Jewish people in a way that not observing Jewish religion does not.<sup>12</sup>

#### *Shabbatai Zevi: Heretic or Apostate?*

If we are going to place the present heresy of messianic-Judaism in perspective, I think it is valuable to consider another very important group of Jews who also believed that the messiah had already come. In 1648, the year of the Chmelnitzky pogrom in Poland and other severe anti-Semitic persecution, a somewhat unbalanced man by the name of Shabbatai Zevi [1626-1676] proclaimed himself the messiah. Slowly, despite the opposition of many of the rabbis, he achieved widespread acceptance throughout all of the Jewish communities in the world and many Jews sold their businesses and property and travelled to Jerusalem to prepare for the messianic period. When Shabbatai went to Constantinople to take the crown of the Turkish Sultan and inaugurate his messianic rule, he was arrested, jailed and, finally, given the choice of conversion to Islam or death. He chose to convert.

12. An interesting sociological issue would concern to what extent a convert's Jewishness is more tied to religious observance than is that of a born Jew. I suspect that a recent convert who gave up his faith to become a Jewish infidel would soon revert to being seen as a Gentile in the eyes of the Jewish community.

A messiah who converts to another religion is a real embarrassment, probably even worse than one who is crucified. But, just as Christianity turned an awkward situation to its own advantage by saying that Jesus' humiliating execution had been part of God's plan all along, some of the followers of Shabbatai claimed that he *had* to convert in order to fulfill his messianic function: in other words, the apostasy of the messiah was necessary for him to liberate sparks of divine holiness trapped in realms of impurity like Islam. Although Shabbatai had converted, he was not really a Muslim; he was still a Jew. While most of Shabbatai's followers stayed within Judaism, these "messianic Jews" were still persecuted by the official rabbinic authorities. Other followers of Shabbatai, including some rabbis and mystics, felt that the apostasy of the messiah should serve as an example for them, and that redemption required that they pretend to be Muslims. They did not follow the worldly Torah and halakhah, but, rather, the mystical Torah revealed by the messiah. This Jewish-Muslim sect still survives in Turkey, where its members are formally Muslims, but feel, inwardly, that they are Jews.

Here, too, one can ask at what point, if any, did Shabbatai and his followers cease to be Jews. When did they lose their position as Jewish heretics and become apostates or former Jews? Would contemporary Judaism accept as Jews those who still insisted on the messiahship of Shabbatai?

Traditional Jewish history talks about the Shabbatean movement as a heresy and has tried to minimize it, sometimes even calling it a mass psychosis. However, it would be foolish to say that the followers of Shabbatai had ceased to be Jews. Indeed, they called themselves "believers" in contrast to other Jews whom they called "infidels." Gershom Scholem, the greatest expert on Jewish mysticism, has argued that the Shabbatean movement was Jewish from start to finish. It was symptomatic of a crisis of faith within the Jewish people as their medieval isolation came to an end. Scholem goes so far as to suggest that the movement paved the way for 19th century reform and *haskalah*. Throughout Jewish history there have been Jews who strayed from the traditional path. Often they simply disappeared, but, occasionally, they were symptoms that some kind of change was necessary within Judaism.

### *Messianic Judaism as Symptom*

I do not believe that the current messianic Jewish movement is, in itself, as serious a threat to Judaism as some alarmists have contended. In the face of intermarriage rates that are approaching 50%, it is a statistically minor problem.<sup>13</sup> The strong reaction of the Jewish community to

13. Reliable estimates of the total number of people involved in the various forms of messianic Judaism are difficult to make. As is the case with other controversial groups, estimates from both Jewish groups and the group itself often tend to be exaggerated for various

messianic Judaism testifies to certain deep-seated fears rather than the movement's actual power. Jews are especially sensitive to perceived threats to the transmission of Jewish identity from one generation to the next, and in American society such threats are more subtle than pogroms or holocausts. The overall dilution of Jewish identity through the gradual assimilation and secularization of many American Jews is a fairly pervasive problem, but it is not one with specific targets that are easy to identify, blame, or remedy. As a result, much of the fear of losing the next generation for Judaism has been transferred into the campaign against so-called "cults" and groups like the messianic Jews.

As is the case with intermarriage, one question that is repeatedly raised is: "What about the children?" Even if messianic Jews claim to retain some form of Jewish identity, however mutilated it seems to other Jews, it is not irrelevant to consider the kind of religious or cultural identity which they will transmit to their children. For the older Hebrew Christian movement, it is clear that descendants of Hebrew Christians were very soon indistinguishable from "full-fledged" Christians. However, it is really too soon to tell how children raised in the newer messianic Jewish groups that insist on preserving Jewish rituals and culture will relate to either Judaism or Christianity. In a certain sense, the messianic Jew's children face a religious and psychological dilemma similar to that of children of interfaith marriages: how to accommodate within their identity two religious traditions that are regarded as mutually exclusive by society at large. While the Christian portion probably has an edge over the Jewish one in the resolution of this dilemma, it is also possible that, in some cases, the children of highly assimilated Jews will retain even less Jewish identity than the children of messianic Jews.

I have tried to examine the messianic Jewish phenomenon without succumbing to the kind of rhetoric that depicts its leaders as

cultures hovering and circling over thirsting bodies in the desert, . . . patiently waiting for the opportunity to snare yet another Jewish soul thirsting for Divinity, . . . stopping at nothing to win the soul of a young Jew.<sup>14</sup>

Rather, I think this movement is symptomatic of a number of factors that must be recognized if we are to understand the attraction of various new religious options pursued by young Jews today. In a world where traditional values and religion have lost much of their credibility, the transition from adolescence to adulthood can be accompanied by disorientation, alienation, and loneliness. One sees among the young (and the not so

polemical purposes. An additional problem in making estimates is the fact that most groups like these have high turnover rates; many members eventually return to their former religious group or move on to new ones. There is normally a relatively small inner core of highly committed members and a larger, though less committed, circle around it. About the most that can be safely said about the number of messianic Jews is that they are "in the thousands."

14. Dov Aharonifisch, *Jews for Nothing: On Cults, Intermarriage and Assimilation* (New York: Feldheim Publishers, 1984).

young) a hunger for community, family, moral certainty, rules for living, and spiritual answers that are not easily found in modern urban society. The typical converts to unusual religious groups are not best understood as victims of spiritual kidnapping and deception. More likely, they feel psychologically dislocated and spiritually dissatisfied, with a deep desire to belong to a close, intimate community, and to have the certainty of simple, clear answers and the security of fixed rules for living.

This desire is as much true of the Jew for Jesus, the Jewish member of Hare Krishna, the Jewish Defense League, the Baal-Teshuva or the Lubavitch convert. Many of these people are disillusioned with the lukewarm religion and liberal ideas of their parents. A recent study of young Jewish women from reform or non-observant families who had decided to turn to Orthodox Judaism showed that most did so out of a desire for belonging, community, and stable values, rather than from specific beliefs about God.<sup>15</sup>

The psychological appeal of the messianic Jews is not unlike that of evangelical Christianity in general, and it should not be overlooked. Its emphasis on a close personal relationship with God and strong religious fellowship are things that members claim were not always so easy to find in Judaism. One supporter of the movement states, "It is in the context of the spiritual vacuum within Jewry that contemporary Hebrew Christianity must be seen, especially the Jews for Jesus movement."<sup>16</sup> There is an element of truth in this exaggeration. Messianic Judaism offers a simple faith not requiring sophisticated scholarship. It gives a visible father figure who loves and forgives totally. Messianic Jews complain that they found the God about whom they learned in synagogues was too hard to relate to, too distant, and too impersonal. Some have great concern about life after death and feel that traditional Judaism has ignored this issue, or, at least, failed to address it clearly. Whether or not such feelings accurately represent the essence of Judaism, they remain facts that cannot be ignored or dismissed.

### *Conclusion*

It is undeniable that not all modern Jews find the traditional forms of Judaism adequate to express their sense of Jewishness. Many people have noted the unique combination of the ethnic and the religious in Jewish identity. For some Jews, the ethnic dimension is all that remains in the wake of the secularizing currents of modern society. Other Jews seek to hold on to their ethnic identity at the same time that they begin to explore

15. Lynn Davidman, "Strength of Tradition in a Chaotic World: Women Who Turn to Orthodox Judaism," paper presented at the *Society for the Scientific Study of Religion* Conference, Chicago, Ill., October, 1984.

16. Jakob Jocz, *The Jewish People and Jesus Christ After Auschwitz* (Grand Rapids, Mich.: Baker Book House, 1981), p. 142.



new spiritual possibilities outside of traditional Judaism. The Jewish infidel and the Jewish heretic are models that help to distinguish these different areas of tension in contemporary Judaism. Both are indications of dissatisfaction with traditional religious positions. If the sources of this dissatisfaction are not explored and addressed, they can begin to erode the continuity and stability of Jewish group life. I have tried to indicate that, for reasons which are not so much theological as sociological and historical, the Jewish community does not feel as profoundly threatened by the Jewish infidel as by the messianic Jewish heretic. As discussions of who and what is a Jew continue to proliferate, we must be wary of simple religious responses to a problem whose real issues need to be approached on a wholly different level than Maimonides' principles of faith.

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## *Miriam's Prayer*

DIANE KARAY

God of the flowing river:  
brimming between banks  
the water flows,  
bearing us all to the source,  
bearing all to the sea.  
No more than currents swept inexorably  
do we escape the swift tug of years.  
Watch over us on our river journey.

When at last all evil lies submerged  
under the billows of your endless wave,  
bear us all by miracle and grace  
to the river's brink and grateful song.  
With feet light as stars,  
lead us in holy dance — circling desert,  
circling fire and cloud,  
until in the sweat of a generation's dancing,  
we taste the aching salt  
of freedom.

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# American Judaism — A Survey of the Landscape

BAILA R. SHARGEL

IN THE LATE 1930S, A GROUP OF JEWISH religious leaders gravely announced that “the generation which is making history has no time to study history.”<sup>1</sup> And, indeed, at the time, serious contemporary analysis of American Judaism was confined to the writings of Mordecai M. Kaplan<sup>2</sup> and a few spokesmen for Reform Judaism who had focused upon their own tradition.<sup>3</sup>

The end of the war and the fast-dawning realization of American Jewry’s preeminent position in the post-Holocaust world prompted a number of Jewish thinkers to investigate the subject. Lack of a clear consensus even about what to call the religious groupings (movements? branches? wings? alignments?) indicated the complexity of the subject and the difficulty of analysis. In the immediate post-war period, Conservative writers joined their Reform colleagues in the articulation of ideology.<sup>4</sup> Further enriching the literature were investigations of the religious alignments from a variety of standpoints: historical, sociological, ideological, and institutional. Seven of the last group are the subject of this essay, which will attempt to gain from them some insight into the evolving nature of American Judaism as well as the changing emphases in Jewish scholarship.

The works cover a period of thirty years. First to appear was *Guideposts in American Judaism*,<sup>5</sup> by the late Jacob Agus, a yeshiva-trained rabbi and Harvard-educated philosopher who became a leading philosopher of Conservative Judaism. In the mid 1950s, two prominent sociologists, Marshall Sklare and Nathan Glazer, submitted studies of American Juda-

1. Rabbinical Assembly, *Proceedings* 6 (1939), p. 38.

2. *Judaism as a Civilization, Towards a Reconstruction of American Jewish Life* (New York: The Macmillan Co., 1934).

3. David Philipson, *The Reform Movement in Judaism* (The Macmillan Co., 1907); Kaufmann Kohler, *The Hebrew Union College and Other Addresses* (Cincinnati: Ark Pub. Co., 1916); Beryl H. Levy, *Reform Judaism in America: a Study in Religious Adaption* (New York: Bloch Pub. Co., 1933).

4. Robert Gordis, *Conservative Judaism, An American Philosophy* (New York: Behrman House, 1945) and *Judaism for the Modern Age* (New York: Farrar, Strauss and Cudahy, 1955); Simon Greenberg, *The Conservative Movement in Judaism: An Introduction* (New York: National Academy for Jewish Studies, United Synagogue of America, 1955); Mordecai Waxman, ed., *Tradition and Change* (New York: The Burning Bush Press, 1958).

5. The full title was *Guideposts in Modern Judaism, An Analysis of Current Trends in Jewish Thought* (New York: Bloch Pub. Co., 1954).

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ism. During the next decade, two professors, Joseph Blau and David Rudavsky, published extensive surveys of Jewish religious movements. In 1973, the Conservative rabbi, Gilbert S. Rosenthal, added to the literature. The most recent survey of American Judaism is by Marc Lee Raphael, a professor of history at Ohio State University with a Reform background.

To one degree or another, every one of the authors accepts the thesis that is stated in the paragraphs introducing the books by Professors Blau and Rudavsky: religious movements arose in Judaism in response to the promise of European emancipation and the reality of American freedom. Each must be considered an "adjustment," as Rudavsky puts it, to the conditions of modernity.

But, despite the common thread, there is a decided variety in the emphases of each author and the conclusions that are reached. Not surprisingly, the two professors and the philosophically-trained Agus concentrate upon the underlying ideology of each movement. As intellectual historians, they have dug deeply into the wellsprings of those movements. Rudavsky takes care to document the rabbinic citations utilized to buttress the arguments of each group, while Agus lays bare the European foundations of Reform and Conservative Judaism. For example, he suggests that the legal position of each movement reflects the debate between European liberal and conservative legists:

Are laws made in accordance with an abstract system of ethics or must they be allowed to develop in keeping with their own inherent impetus? The liberals of European politics argued in behalf of systematic legislation based upon the implications of "the rights of man," while the Conservatives maintained that freedom must be allowed to broaden slowly "from precedent to precedent . . ." While the Reformers conceived of religion largely as a set of abstract truths and consequently assigned to the religious leaders of every age the task of formulating and crystallizing the ideology and program of Judaism, the Conservatives regarded faith as a complex structure of sentiments, loyalties and ideals shared by all the people and, therefore, to be molded by the people.<sup>6</sup>

Blau is equally analytical, taking into account the historical and social dimensions of theological statements:

Historical Judaism had to interpret the history of Judaism as a democratic history in order to justify its own inclusiveness. By implication, at least, if not explicitly, this meant that the Historical School, largely composed of rabbis, took a position that undermined the traditional authority of the rabbinate. The idea of a body of elite interpreters, descended in a direct line of oral transmission from Moses on Mount Sinai, had to give place to the idea of a body of sensitive spokesmen for the sentiments of the mass of the Jewish people. The totality of Israel (*Klal Yisrael*), sometimes translated as "Catholic Israel," became the watchword of the Historical School.<sup>7</sup>

6. *Ibid.*, p. 96.

7. *Modern Varieties of Judaism* (New York: Columbia University Press, 1964, 1966), pp. 97-98.

For all three of these thinkers Jewish religious movements are outward expressions of intentions that were originally proclaimed in Europe. Despite its title, Rudavsky's *Modern Jewish Religious Movements, A History of Emancipation and Adjustment*<sup>8</sup> is basically an intellectual history, focusing on the Judaism of the Western world. A lengthy historical section, "Backgrounds," is followed by a second part, entitled "European Roots," which is more extensive than the third, "American Shoots." Of the six chapters in the second section, only one deals with an East European religious phenomenon, Hasidism; the others trace the development of Judaism in central Europe, including Italy. The "American" section considers the mid-nineteenth German immigration at length, while it disposes of the much more critical "Russian" immigration in a few paragraphs.

Blau's *Modern Varieties of Judaism* is also philosophically oriented. In keeping with his title, the author does not consider "unmodern" Hasidism, but he does include a chapter on Zionism. Anticipating Charles Liebman,<sup>9</sup> he notes that, for decades, Zionism had been the religion of a large number of American Jews and a historic unifier of American Jewry. Like Rudavsky, Blau devotes most of his attention to the classical formulations of Abraham Geiger, S.R. Hirsch, and Zacharias Frankel and short sections at the end of each chapter treat the American adaptations of each ideology during the late nineteenth and early twentieth centuries. An exception is Conservative Judaism, the "complex phenomenon" followed to the 1950s. Only the last chapter, apparently written years after the others,<sup>10</sup> considers twentieth century Reform Judaism and post-war Orthodoxy.

Rabbi Jacob Agus shares the intellectual orientation of the two professors, but not their distance from the subject. If his sources are predominantly European, his book has a larger objective — to shape American Judaism in the image of Jewish tradition and in light of the post-war American environment. In the author's purview, the United States is liberal and progressive in outlook and hospitable to historic religious communities, though intolerant of ethnic differences which are, at any rate, fast disappearing. Despite a predisposition to rationalism, Agus sharply criticizes classical Reform Judaism, finding it Jewishly inauthentic because of its slavish dependence upon German philosophical idealism and its abandonment of the mystical, romantic, and historical elements of Jewish experience. His second critique, derived from a negative assessment of Jewish nationalism, is original. For him even Reform Judaism's universalism, expressed classically in the "mission" theory and then

8. New York: Behrman House, 1967.

9. See *The Ambivalent American Jew. Politics, Religion, and Family in American Jewish Life* (Philadelphia: JPS, 1973), chap. 4.

10. It alludes to certain sociological studies, such as Sklare's, not mentioned in the earlier chapters.

reformulated in the Columbus Platform, rests upon an ethnic base. For these reasons, he finds Reform Judaism incompatible with the historic truth of Jewish monotheism and the temper of mid-twentieth century America.

Surprisingly, Agus is more favorably disposed towards Conservative Judaism, which he embraced at this time despite its lack of theological and legal clarity and despite its nationalistic bent.<sup>11</sup> In his opinion, it is Reconstructionism which carried the Conservative emphasis on the living people "to its outermost limit." From the number of pages devoted to the explication of Mordecai M. Kaplan's philosophy, followed by an argument-by-argument rebuttal, it is clear that Rabbi Agus regards this trend as a serious force to be reckoned with.

Precisely the opposite view informs his analysis of American Orthodoxy. For him, it is not, like Reform and Conservative Judaism, a "movement," but a "stream" fed by three tributaries. The first is mysticism, best represented by the *Lithuanian musar* movement and its heir, Chief Rabbi Kuk. Neo-Orthodoxy has provided the other two in the east-European formulations of Rabbi Joseph Soloveitchik and the central-European program of Rabbi Issak Breuer. Implied in the summary and analysis of their thought is the notion that, since Orthodoxy, in all of its forms, has failed to meet the challenge of modernity, it will have little impact upon the future of American Judaism.

This is a faith that is shared with the other two aforementioned writers. Rudavsky is highly critical of Soloveitchik's separatism. But, unlike Agus, who ignores Hasidism, he devotes space to the phenomenal resurgence of sectarian Orthodoxy in post-war America. Nevertheless, he concludes, "From all appearances, it would seem then that Orthodoxy is bound to lose further ground to the Conservative and Reform movements in American Judaism."<sup>12</sup>

Blau shares the assumptions of the other two. Tersely, he indicates the inadequacy of the Orthodox position on the flexibility of Jewish law:

Many Jews who are, in the best sense, "Torah-true" cannot find satisfaction in a process of adjustment that does not take account of the differences between an ancient camel caravan and a modern space capsule. Yet they are unwilling to follow the radical path of Reform Judaism in rejecting the bulk of rabbinic tradition.<sup>13</sup>

This paragraph, which forms the transition between his discussions of Orthodoxy and Conservatism, clearly indicates a preference for the latter.

11. In other books and articles, however, Agus expressed criticism of the Conservative approach to Jewish law. See "Laws and Standards — The Way of Takkanot," in *Conservative Judaism* 6 (1950): 8-26, and *Dialogue and Tradition, the Challenge of Contemporary Judeo-Christian Thought* (New York: Abelard and Schuman, 1971), pp. 523-535.

12. *Modern Jewish Religious Movements*, p. 399.

13. *Modern Varieties of Judaism*, p. 88.

Complementing and supplementing the analyses of the intellectual historians are the studies by Nathan Glazer and Marshall Sklare, who initiated the investigation of Jewish religious life from a sociological standpoint. Sociologists of religion wrestle with problems that differ in character from those which interest intellectual historians. Glazer and Sklare are less concerned with the philosophies underlying the religious alignments than with the beliefs and practices of ordinary Jews. They ponder the nature of group identity and the role of economic mobility, social status and distance from the immigrant generation in determining religious affiliation.

It is the first of these issues which especially engages Glazer's attention. Unlike the intellectual historians, he does not devote a separate section to each religious alignment: his *American Judaism*<sup>14</sup> surveys the past and the present in chronological segments, concentrating on the nexus between religion and ethnicity in each period. His conclusion is straightforward: all movements which embraced one element to the exclusion of the others were doomed either to extinction (e.g., turn-of-the-century Yiddishist diaspora nationalism) or transvaluation (e.g., universalistic classical Reform Judaism).

This formulation echoes the thought of an earlier social thinker. In 1910 Israel Friedlaender had observed:

There are many Jews who deny the racial or national character of Judaism and yet betray in their actions and sentiments a deep attachment to the Jewish people as a racial community. There are others who deny the religious basis of Judaism and yet in their whole spiritual make-up bear the deep impress of the Jewish religion.<sup>15</sup>

As a consequence, in 1915, Friedlaender had predicted that the "extreme factions" who would persist in denying either the "racial" or the "religious" dimension of Judaism could "never obtain a permanent hold on the Jewish people."<sup>16</sup>

Glazer proceeds to ponder the "Jewish revival" of post World War II America and he concludes that middle-class Jews, newly risen in socioeconomic position, retained the desire for Jewish identity. Having made that decision, many selected Reform congregations, which now fully embraced Jewish peoplehood. In larger numbers, they affiliated with Conservative Judaism, where religion, Zionism and Jewish culture had long dwelled comfortably alongside one another.

Marshall Sklare's *Conservative Judaism*<sup>17</sup> actually considers all three contemporary Jewish religious movements. It is Sklare who first articulated the notion that Conservative Judaism was the religious expression of

14. Chicago: University of Chicago Press, 1957.

15. *Past and Present* (Cincinnati: Ark Pub. Co., 1919), p. 440.

16. *Ibid.*, p. 441. See also "The Present Crisis in American Jewry," *Ibid.*, pp. 332-356.

17. The full title is *Conservative Judaism: An American Religious Movement* (Glencoe, Ill.: Glencoe Free Press, 1955).



Jews of East European descent, just as Reform Judaism had been the religious expression of the German Jews. He also introduced the concept of “areas of first, second, and third settlement” into Jewish studies and coined such terms as “Conservatism” and “non-observant Orthodoxy,” which soon gained wide acceptance. Sklare, even more than Glazer, dwells upon the non-ideological factors prompting religious affiliation, notably distance from immigrant forebears and social mobility.<sup>18</sup>

From these seminal studies and others which followed, there has evolved a consensus that Orthodoxy is the religious expression of indigent or lower middle class, unassimilated immigrant Jews living in areas of first and second settlement, while Reform Judaism serves as the religious expression of wealthy, assimilated Jews physically or spiritually removed from their immigrant forebears. Increasingly, Conservative Judaism is accepted as the religious expression of the majority of synagogue-affiliating American Jews, now solidly middle class and upwardly mobile; only a generation or two removed from the third wave of immigration, they have settled in the outer rims of cities or in the suburbs.

Conservative ascendancy indicates, implicitly or explicitly, the decline of Orthodoxy. Sklare notes the Orthodox origins of most Jews who join Conservative synagogues. Glazer admires Orthodox “vigor;” but, at the same time, he acknowledges its lack of attraction for the majority of Jews who regard it as “a survival (as the anthropologists use the word).”<sup>19</sup> He also disparages the priorities of Orthodox halakhic authorities. “On what can Judaism concentrate?” he inquires.

One of the major concerns of the Orthodox group in its defense of traditional Jewish religion is the minimum height of the barrier between men and women in the synagogue — a detail exactly in line with the matters discussed by the Jewish sages in the Talmud. How to make such a religion viable in the modern world is indeed a problem.<sup>20</sup>

Among the writers of the 50s and 60s, then, there was a consensus that Conservative Judaism, despite its inconsistencies and complexities, was both the vital center of American Judaism and the wave of the future.

18. The reputation of *Conservative Judaism*, unlike many of the earlier studies, has grown through the years. Indicating its current importance is the fact that an entire issue of *American Jewish History* (December, 1984) was devoted to this work. In it, Jack Wertheimer and Jenna Weisman Joselit analyze the book from a historical perspective. Two other scholars evaluate the thesis in light of recent developments. Sidney Schwartz and Elliot Dorff do not dispute Sklare's contention that sociological considerations continue to precede ideological ones for most Conservative Jews. However, they also point to the considerable intellectual ferment within the movement's academic and rabbinic leadership during the past decades as well as recent attempts, some successful, to deepen Jewish knowledge and religious observance among the laity. The volume ends with Marshall Sklare's essay, which furnishes historical background to the writing of the book. Then, as part of his “Response” to the critics, Sklare insists that he considers himself a Conservative Jew.

19. *American Judaism*, p. 139.

20. *Ibid.*, p. 134.

It must be remembered that these books were composed during the period when this movement became the largest one in American Judaism. It is equally noteworthy that none of the authors regarded Reconstructionism as a separate organization but, rather, as the left wing of Conservatism. Nevertheless, each of them called attention to the philosophy of Mordecai M. Kaplan.

There is a world of difference between the studies of the 50s and 60s and those of the 70s and 80s. The latter no longer refer to "mid-century America" or "the post-war generation," a reflection on the changed situation of authors and subjects alike. In the community, distance from the post-1945 immigrations as well as rising economic and educational opportunities rendered obsolete the prevailing judgment that Orthodox, Conservative, and Reform Judaism reflect social distinctions among lower class, middle class and upper class Jews and first, second and third generation American Jews. Additional factors in the social and intellectual climate have also changed the face of American Judaism and the perceptions of its analysts. Contrary to Jacob Agus' expectations, rationalism in religion has become passé and liberalism is, in many areas, suspect. Romanticism, mysticism, and ethnicism have not faded away; they have become fashionable. During the waning years of the 60s, Reconstructionism, theologically the most radical of the philosophies of Judaism, crystallized into a full-fledged movement. However, some fifteen years later, following the death of Mordecai Kaplan and the retirement of Ira Eisenstein, younger spokesmen of the movement have begun to question Kaplanian attitudes towards supernaturalism and the election of Israel.

Reconstructionists are not the only Jews engaged in rethinking traditional certainties. In the seminaries and rabbinical conferences of all non-Orthodox Jewry the voice of Kaplan has dimmed, even as echoes of the religious existentialists, notably Rosenzweig and Heschel, have grown stronger. Reflecting the renewed appreciation of mysticism in American intellectual circles, Hasidism has also become a serious subject of study, its modes of piety often emulated and sometimes imitated.

At the same time, certain deviations from established patterns, long proposed by Kaplan, have become standard. All of the rabbinical seminaries have expanded into Universities of Judaism. With the extension of curricula there are new opportunities for women, including rabbinical ordination. This innovation reflects, of course, the feminism of the age, just as the establishment of *havurot*, both within and outside of existing religious organizations, followed a general trend away from bigness.

The experiments of non-Orthodox Jews have been accompanied by the surprising resurgence of Orthodoxy. Accounting for this phenomenon, unforeseen by earlier observers of American Judaism, is a renewed appreciation for traditional religion in the community and in the academy and the presence of a cohort of sophisticated thinkers who are able to present the Orthodox position coherently and with conviction. Even Jews

who could not accept Orthodox theology now respect Orthodox Jews for their passionate commitment to Judaism and their striking success in combating the forces of assimilation. Sociologists, who had previously ignored Jews who held fast to traditional practice while they studied, in minute detail, the “new Jews” of the suburbs, now are taking notice of urban, suburban, and exurban Orthodoxy, in all of its picturesque variety.<sup>21</sup> In 1975, Marshall Sklare, the sociologist of Conservatism, posited the emergence of “Orthodox triumphalism.”<sup>22</sup>

Joining these observers were partisans of each movement. Important Jewish periodicals, either denominational or non-denominational, such as this one, gave them the opportunity to articulate their philosophies, thus encouraging the crystallization of ideological positions.

To the analysts of the 70s and 80s fell the obligation of taking account of all of these elements. The task which they assumed was at once more arduous than that of their predecessors and more prosaic. The difficulty lay in the sheer bulk of the data to be sifted and their conception of the undertaking. Whereas their predecessors concentrate on a single aspect of American Judaism and mention other factors only in passing, they have set out to create synthetic accounts of American Jewish religious movements, embracing history, ideology, sociology, ritual practice, liturgy, and synagogue organizations. The prosaic nature of the enterprise is dictated by the tight structure that is required to include all of these elements, thereby almost precluding original analysis of ideas or mention of extraneous details.

First to appear was *Four Paths to One God*, by Gilbert S. Rosenthal.<sup>23</sup> The writer is a practicing Conservative rabbi with training in sociology, yet the book is neither partisan nor skewed in favor of sociological analysis. *Four Paths* is, in this reviewer's opinion, the most balanced of all the presentations. I use “balanced” in many senses of the word, beginning with the organization of the volume. Rabbi Rosenthal allows nearly equal space to each movement, allotting one chapter to its history, another to its ideology. The historical sections of his book take account of the European theoreticians but focus upon the men who established each movement on American soil and their successors. In addition to the theoretical formulations of the leaders, Rosenthal also treats the folk religion of the followers, their true concerns and their practices. The author also evaluates, in equal measure, the strengths and weaknesses of each movement, utilizing the periodical literature as well as his own considerable powers of obser-

21. Charles S. Liebman published several pioneering studies during the mid-sixties. See “A Sociological Analysis of Contemporary Orthodoxy” in JUDAISM 13 (Summer, 1964): 285-304 and “Orthodoxy in American Jewish Life” *American Jewish Year Book* 66 (1965).

22. “Jewish Religion and Ethnicity at the Bicentennial,” *Midstream* 21 (November, 1975): 26.

23. The full title is *Four Paths to One God, Today's Jew and His Religion* (New York: Bloch Pub. Co., 1973).

vation. Boldly, he introduces the internal criticism of each movement, which is seldom aired outside of partisan circles. The reader learns, for example, of voices on the Orthodox left which berate colleagues for a lack of attention to the ethical and universal dimensions of Judaism, of the continuing debate in Reform Jewish circles around Abba Hillel Silver's characterization of the movement's legal position as "Pauline," and of ongoing arguments within Conservative Judaism about the nature of religious authority and the standardization of religious practice. Only the discussion of Reconstructionism displays no current criticism,<sup>24</sup> but it must be remembered that the book predates Kaplan's death and the above-mentioned changes which ensued. Also marking this survey as a product of its own time is the focus upon each movement's stance vis-à-vis the Vietnam War.

This book was reissued early in 1986 in an expanded version under a new title<sup>25</sup> and with a sixty-five page supplement<sup>26</sup> which brings up to date several issues that were introduced in 1973. The treatment of Reform and Conservative Judaism continues to be even-handed, while the author's impatience with Orthodox self-righteous triumphalism is evident. It is Reconstructionism which receives the harshest judgment; after demonstrating its evolution into a full movement, Rabbi Rosenthal questions the need for a religious alignment with a philosophy that is virtually coterminous with that of contemporary Reform Judaism.

A second recent study of American Judaism is Marc Lee Raphael's *Profiles in American Judaism*;<sup>27</sup> as the latest full-scale addition to the literature, it demands extensive treatment. Like many of the older surveys, this book was carefully researched and documented from a variety of primary and secondary sources. The author shares Rosenthal's gift for concise summarization of historical trends and current theological positions and inclusive description of contemporary modes of practice, but, more than the others, Raphael places his emphasis upon Jewish religious institutions; he also devotes a great deal of attention to official pronouncements.

Despite these important attributes, however, *Profiles in American Judaism* is, in this reviewer's judgment, a flawed work, for several reasons, beginning with the structure and organization of the volume. Unlike any of the previous authors, Professor Raphael provides no introduction to his survey but plunges headlong into a discussion of Reform Judaism. A sense of *Sitz im Leben* is lacking. By not mentioning the problems and opportunities raised by the Emancipation and only briefly touching upon Moses Mendelssohn and the *Aufklärung*, the book does not convey the imperative for reform that was experienced by the religious innovators.

24. The author does, however, refer to Milton Steinberg's critique; see p. 270.

25. *Contemporary Judaism, Patterns of Survival* (New York: Human Sciences Press, Inc.).

26. There is also a new introduction and an expanded bibliography.

27. The full title is *Profiles in American Judaism: the Reform, Conservative, Orthodox, and Reconstructionist Traditions in Historical Perspective* (San Francisco: Harper and Row, 1984).

Nor does this study of American Judaism introduce the reader to the American scene before the sixth chapter. Missing also are a final chapter of summation and evaluation as well as a bibliography.

Equally puzzling is the selection of dates that appear in the chapter headings and that mark the inception of each movement: 1654 for Orthodoxy, 1810 for Reform, 1886 for Conservatism, and 1934 for Reconstructionism. Strange to relate, the substance of the text rectifies these gross inaccuracies, arguing against itself that Reform Judaism did not find an American voice until the 1850s and that American Orthodoxy became a recognizable movement only at the end of the century.

The dating of the movements underscores another shortcoming of this study — its tendentiousness — best illustrated in the treatment of Conservative Judaism. According to Dr. Raphael, there is very little connection between this movement and European Historical Judaism before 1903, when Solomon Schechter assumed the presidency of the Jewish Theological Seminary. The organization which bore that name between 1886 and 1903 was, in his judgment, actually an Orthodox institution established with the single negative purpose of opposing Reform Judaism. Its leaders and supporters, he maintains, were either Orthodox or Reform: an undistinguished faculty turned out only seventeen rabbis, six of them in its final year; only two of them became figures of consequence.

Every one of these points is highly debatable. The very selection of the name, "Jewish Theological Seminary," indicates a conscious effort to walk in the footsteps of Zacharias Frankel, the founder of Historical Judaism, who organized a rabbinical school of that name in Breslau, Germany.<sup>28</sup> For many decades, Seminary leaders equated their interpretation of Judaism with normative traditional Judaism. But it has long been clear to observers of religious history that innovators invariably make that claim. Moreover, this view did not conform to the impression of the Orthodox community. When, in 1886, news of the new institution reached J.D. Eisenstein, an Orthodox publicist, he clearly designated three trends in American Judaism: "Orthodox, Conservative, and Radical."<sup>29</sup> Even before Schechter's arrival, the Union of Orthodox Jewish

28. Alexander Kohut, a graduate of the Breslau Seminary and faculty member of its American namesake, the man who suggested the name for the American institution, explained this at the opening of the JTS in January, 1887 (where he used the words "Conservative Judaism"), from his pulpit, and in his writings. See Moshe Davis, *The Emergence of Conservative Judaism, The Historical School in Nineteenth Century America* (Philadelphia: JPS., 1963), pp. 222-4, 239, and *Yahadut Amerika Be-Hitpathutah* (The Shaping of American Judaism) (New York: JTS, 1951), pp. 78-83; *The American Hebrew* (Jan. 7, 1887): 136, and Alexander Kohut, *Ethics of the Fathers* (New York, 1920), pp. xciv, cv.

29. Judah David Eisenstein, "The Foundation of the New Seminary," in *Ozar Zichronotai* (Autobiography and Memoirs) (New York: J.D. Eisenstein, November, 1929), p. 206. The article was originally published in *New Yorker Yiddische Zeitung*, 1886, pp. 206-211. Thanks to Rabbi Robert E. Fierstien for directing me to this article and for recalling some of the names included in the next note.

Congregations repudiated the Seminary for its emphasis on modern scholarship and its commitment to the English language. Furthermore, for an institution with weak financial backing to have produced seventeen graduates between 1894 and 1902 indicates strength, not weakness, as does the fact that six of them were ordained in the very year of reorganization. Finally, the “old” seminary did produce a number of distinguished graduates.<sup>30</sup>

Upon Solomon Schechter Raphael bestows the credit for inaugurating not only the “reorganized” Conservative Seminary but Conservative Judaism in America. In describing Schechter’s scholarship, however, Raphael minimizes his accomplishments with the following condescending statement:

Unlike his Orthodox opponents, Schechter respected much of modern, scientific biblical criticism, including the conclusions that Solomon did not write Ecclesiastes, that David did not author the entire Psalter, and that Isaiah 1-40 is not the same as second Isaiah — all of which, incidentally, had already been suggested or hinted at by the ancient rabbis.<sup>31</sup>

It should be noted that the justification for innovative interpretation of sacred texts through historical precedent is the very rock upon which Raphael’s vindication of Reform Judaism is constructed.

Distaste for the centrist religious movement may be related to the final major flaw in this presentation, a predilection for extreme positions. In terms of space devoted to the subject and appreciation of its importance, Reform Judaism ranks first, Orthodoxy second. The author treats the Reform movement synchronically, the others diachronically, creating a sense of the dynamism of the former in contrast to a certain static quality of the others. Even within the long section on Reform Judaism, there is a decided preference for the exotic over the normative. In revisionist fashion, Raphael skims over the career of Isaac M. Wise, the rabbi who established all of the major institutions of Reform Judaism. Indeed, he goes out of his way to characterize this champion of moderate Reform as “stub-

30. Some prominent members of the early classes were three Philadelphians: Leon H. Elmaleh ('98) poet, historian and rabbinic activist, Julius Greenstone ('00), contributor to the *Jewish Encyclopedia* and the *Jewish Quarterly Review* and writer of books on biblical subjects, and Henry Speaker ('95), principal of Graetz College and frequent contributor to scholarly periodicals. Menahem Max Eichler ('99), the Bostonian rabbi and pamphleteer, and David Levine ('00), scholar and social activist of Spokane, Washington are also worthy of note.

The class of 1902 was especially strong, including not only Mordecai M. Kaplan and Joseph H. Hertz, but also Herman Abramowitz, noted Canadian Rabbi, Hillel Kauver, dean of Denver rabbis, and Phineas Israeli, the Boston rabbi, scholar, educator and Zionist. Among the members of the class of 1904, whose education proceeded smoothly over the Seminary’s reorganization, were Charles I. Hoffman, scholar and journalist, Rudolph I. Coffee, scholar, journalist, and community activist, Gerson B. Levi, expert in grammar and Geonic literature, and Elias B. Solomon, rabbinic scholar and Zionist leader. See “Alumni Notes” in *Students’ Annual, Jewish Theological Seminary of America* I (1914): 31-44 and II (1915): 14-29 and articles by H. Pereira Mendes and Israel Davidson in *The Jewish Theological Seminary of America Semi-Centennial Volume* (New York: JTS, 1939), pp. 35-45 and 73-86.

31. *Profiles*, p. 90.



born” and “petty.”<sup>32</sup> He focuses, instead, upon the more extreme Reformers. Singled out is a certain Jacob Voorsanger, the turn-of-the-century San Francisco classical Reform rabbi, whose career is richly documented for eleven pages. (Reconstructionism merits only fifteen!)

To the reader it soon becomes evident that, despite the extensive research that went into this book, the author simply knows more about Reform Judaism than about the other movements. Two examples should suffice. One is the matter of scholarship: there are many more references to academic achievement on the part of the Hebrew Union College faculty than of professors associated with the other rabbinical seminaries. Of equal significance is the presentation on *havurot*. Raphael makes note of the religious fellowships established by Reform and Reconstructionist Jews, but not those with a Conservative orientation. Orthodox *shtiblakh*, which share the informal ambience of the *havurot* are also not included.

Yet, on the whole, the treatment of Orthodoxy is generous. Like most contemporary observers, Raphael is impressed with the post-war resurgence of this religious tradition and its renewed vitality. He reviews the manifold organizations under Orthodox sponsorship, then devotes a separate chapter to Orthodox beliefs; for no other group does he perform this service.

And what about Reconstructionism? The author passes a favorable verdict upon this movement, which, however, contrasts sharply with the short space devoted to it. Accounting for the brevity of this survey is Raphael's refusal to deal with Kaplan's theology, which he dismisses as “never . . . widely acclaimed”<sup>33</sup> and the book closes with a reference to the fact that some younger Reconstructionists are not willing to accept some aspects of Kaplan's theology. However, it does not examine the protest regularly registered by “classical” Reconstructionists, who maintain that Reconstructionism is defined by certain concepts proposed by Kaplan, and that it is not merely methodology.<sup>34</sup> Whether lack of information or the desire to conclude the volume on an upbeat note accounts for this omission is difficult to determine.

With Marc Lee Raphael's analysis of Orthodoxy and Reconstructionism, the surveys of American Judaism have come full circle. The post-war writers barely mention Reconstructionist institutions, which were, at the time, admittedly undeveloped, but they regard Mordecai Kaplan's philosophy as worthy of deep analysis and thoroughgoing criticism.<sup>35</sup>

32. Ibid., p. 13.

33. Ibid., p. 181.

34. See letters by Rabbi Abraham N. Winoker and Muriel and Calman Rosenkranz in *Raayonot* 4 (Winter, 1983): 42-44.

35. In this they were joined by Eliezer Berkovits, whose scathing indictment of the movement, “Reconstructionist Theology: A Critical Evaluation,” was first published in 1959. It was reprinted in his *Major Themes in Modern Philosophies of Judaism* (New York: Ktav Pub. House, 1974), pp. 149-191. The Orthodox critic penetratingly analyzes the principal philosophies of twentieth century Judaism, only to find them all profoundly foreign to classical

Raphael, on the other hand, carefully describes the movement's "panoply of institutions," while skimming over its intellectual underpinnings. His judgment of Kaplan's philosophy, though historically inaccurate, reflects the current trend in American Judaism away from theological radicalism. The treatment of Orthodoxy is equally instructive. It is now obvious that no serious writer can characterize this movement, as Jacob Agus once did, as a trickling "stream," nourished from foreign sources. Today it is a self-renewing river, flowing with quickened vigor. As both Rosenthal and Raphael have clearly indicated, all four currents in American Judaism flow along, side by side, no one able to overwhelm the others. It is now more evident than ever before that, contrary to the predictions of a generation ago, no single Jewish religious tradition has the future in its pocket.

Judaism. He concludes that there has been no satisfactory accommodation between Judaism and modernity. It should be noted that this argument stands in direct opposition to the underlying thesis of all the books cited in this study.

## **JUDAIC ETHICS FOR A LAWLESS WORLD**

by

*Robert Gordis*

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# Seating in the Synagogue — Minhag America

ROBERT GORDIS

AFTER THE BIBLE, THE GREATEST CREATIVE era in the development of Jewish law is the period of the Mishnah, during which the imposing structure of rabbinic Halakhah took shape. The innovative impulse was only slightly less evident in the Gemara, both in Babylonia and in Palestine, but, as the objective conditions of Jewish life continued to worsen during the Middle Ages, the creative capacity of the community declined correspondingly.

Nonetheless, it is an error to underestimate the degree of vitality in the later history of the Halakhah. The great Synod convened by Rabbenu Gershom, "The Light of the Exile," in the tenth century, adopted far-reaching ordinances (*taqqanot*) enlarging the rights of women and restricting the powers of men in marriage and divorce, though the equality of the sexes in Jewish law and life is, of course, far from being a reality even today. Subsequent rabbis and rabbinical courts issued many other *taqqanot* dealing with the various situations that arose during the following centuries, though they intended to become increasingly limited in scope.

These "elitist" contributions to the development of Jewish law were matched by a remarkable phenomenon which arose largely in the Middle Ages and has continued unabated to the present — the emergence of *minhag*, "custom," reflecting the will of the people, rather than of the leadership. Many customs were local in character, like the observance of a day of deliverance from expulsion or the ending of a plague in the community. In other instances, these *minhagim* were expressions of popular piety, which might spread beyond the confines of a particular area and become widely observed, such as the custom of *kapparot* on the eve of Yom Kippur. Some Jewish communities, like Frankfurt, have jealously guarded their specific *minhagim* in liturgy and ritual to the present day.

What has been generally overlooked is that the power of *minhag* still operates powerfully in modern times and is very much alive even in America.

There is, for example, an innovation in Jewish religious practice which is characteristic of the American scene, cuts across all denominations and unites them all. It is the procedure for women's seating in the synagogue. The issue has been a source of warm controversy, but, ironically, all too little is known of its background and much more research needs to be done with regard to the physical arrangements for women at public worship.

It is generally assumed that the seating of women in a special section of the synagogue is a unique Jewish practice. Actually, the segregation of the sexes at public worship was a universal characteristic of Old World religion, Christian as well as Jewish. The famous sixth-century octagonal church in Ravenna has a gallery for the women.

Nor was this segregation limited to ancient times. Several years ago, Father John La Farge, the famous Jesuit leader for inter-racial justice, was sitting with me in the Sukkah of the Jewish Theological Seminary. In the course of our conversation, he asked me to describe the principal differences among the various Jewish religious movements. I mentioned, among others, the family seating pattern in Reform and Conservatism, as against the separate seating in Orthodoxy.

I understand the situation you describe (he said, drawing a diagram on the paper table cloth before us.) When I was a young priest, I was assigned to a Slavic community in eastern Maryland, most of the members of which were recent immigrants. In the church there were two sections. The boys sat on one side, with their fathers behind them to make sure they behaved, while the girls sat on the other, with their mothers behind them and for the same purpose. But in the rear of the church, the young, American-born adults sat without any segregation.

The separation of the sexes was apparently observed more rigorously in the Jewish than in the Christian community, though our information with regard to Jewish practice is far from complete. In the Temple in Jerusalem, where, to be sure, sacrifice and not prayer was the principal religious activity, a special section, *‘ezrat nashim*, “the court of women,” was set aside for them. What the function of *‘ezrat nashim* was and when it was used, are questions that we are unable to answer fully.

During the period of the Second Commonwealth, a joyous festival called *Simḥat Bet Ha-sho’ebah*, “The Festival of the Drawing of the Water,” which preserved many ancient elements, was observed in the Temple in Jerusalem. A third century source informs us:

In the beginning when *Simḥat Bet Ha-sho’ebah* was observed the men would look from within and the women would look from without. When the Court saw that they were approaching levity (*qallut rosh*), they built three barriers in the Temple small court on three sides where the women sat and saw the *Simḥat Bet Ha-sho’ebah* and they were not co-mingled, while pious men would dance before them with torches and sing songs.

Here the participation of women at a festival ritual, albeit at a distance, is clearly indicated.<sup>1</sup>

1. The Mishnah declares that “He who did not behold the joy of the Festival of the Drawing of the Water never saw true joy in his life” (M. *Sukkah* 5:1). After allowance is made for the hyperbole, it is clear that the occasion had a carnival-like folk-character. Thus, the priests and the Levites “came down” from the “Court of the Israelites” to “the women’s court” for the celebration. There was elaborate illumination by torches and candelabra. Men distinguished for piety danced, throwing torches into the air and catching them. Rabbi Simeon ben Gamaliel is reported to have tossed eight torches upward and retrieving them. Rabbi Joshua ben Hananiah declares that “during the festival we never saw sleep in our eyes.”

The first century philosopher, Philo, admirably describes an Essene sect in Alexandria, called Therapeutae<sup>2</sup> who celebrated a festival “after seven sets of seven days” in which women participated. That pattern seems also to have been the case with at least one group of Essenes in Palestine.<sup>3</sup> A fragmentary text from Qumran, recently published, describes a joyous ritual in which women were actively involved.<sup>4</sup> It is difficult to believe that “mainstream Judaism” was stricter in enforcing the separation of the sexes than the Essenes, who were revered for their deep piety. It may be that, originally, a mingling of the sexes at worship services existed; the biblical *Song of Songs* testifies to an easy relationship between men and women in the social sphere, in an earlier era, to be sure.

With the passing of time, however, more stringent attitudes developed in Pharisaic Judaism, so that the mingling of the sexes was now restricted to special occasions like “The Festival of the Drawing of the Water” in the Temple. The rise of ascetic tendencies in rabbinic Judaism after the destruction of the Temple is well attested in our sources.

Some of the ancient synagogues of the early Christian centuries that have been recently excavated in Israel seem to have made no provision at all for the presence of women at services<sup>5</sup> and that there was an intermingling of the sexes, as some have suggested, is hardly likely. More probably, women did not generally attend. A parallel may perhaps be found in Eastern Europe, where, until almost our own day, they were not expected to go to the synagogue, except for such special purposes as hearing the shofar on Rosh Hashanah, celebrating Simḥat Torah and listening to the reading of the Megillah on Purim.

The practice of providing a special section for women evolved slowly and in a variety of patterns.<sup>6</sup> The women’s area might be built under the men’s synagogue, with a grille in the floor, so that women could hear the men’s service, as in Avignon and Comtat Venaissin, or they might be seated in the sexton’s wine-cellar. There might be a ground-floor room set aside for them, as in Worms or an additional aisle, as in the Prague Pinkas Synagogue. A women’s annex raised above the men’s area at the

2. In his treatise, *The Contemplative Life*, (trans. F. H. Colson) *Loeb Classics, Philo*, vol. IX (Harvard, 1941).

3. M. Baillet, *Qumran Grotte IV, Documents of the Judean Desert VII* (Oxford, 1982), text 502, pp. 81–105.

4. The editor, M. Baillet, suggests that the text is a marriage ritual. J. M. Baumgarten, “4 Q 502: Marriage or Golden Age Ritual?” *Journal of Jewish Studies* (1983, vol. 35, pp. 125–35) argues convincingly against this interpretation, but does not clearly present an alternative.

5. For more detailed information on the excavated synagogue at Rehov, see the articles of F. Vitto and J. Sussman in Lee I. Levine’s *Ancient Synagogues Revealed*, (Detroit, 1982) pp. 90–94 and 146–150. See also *Tarbiz* 43 (1974): 88–158; 45 (1976): 213–257.

6. On the history of synagogue architecture in Europe see R. Krautheimer, *Mittelaltliche Synagogen* (Berlin, 1927), pp. 132–5; see Carol Herselle Krinsky, *Synagogues of Europe: Architecture, history, Meaning* (Cambridge, 1935), pp. 28–30, for a survey of the known history of the women’s area in the synagogue.

side is found in synagogues from the fourteenth century on. Beginning with the sixteenth century, a women's gallery appears, and this became the dominant pattern in Europe until the present.

The avowed purpose of these varied practices for separate seating was to prevent the sexes from "seeing and being seen by each other" and thus be tempted to levity or worse. To achieve this goal, two procedures were adopted, the physical separation of men and women by seating them in different areas, and the erection of a curtain or grille around the women called *mehizah* (literally, "division, partition"), a meaning which the term did not possess until the Middle Ages.

### *The emergence of American minhag*

When the *mehizah* became an issue in the twentieth century, two striking aspects of the subject were overlooked. First, the separation of the sexes was universal in European synagogues of all denominations including Reform.

At the three rabbinical conferences at which the foundations of Reform Judaism were laid, Brunswick (1844), Frankfurt (1845) and Breslau (1846), many radical changes in Jewish practice and belief were adopted, but the issue of the segregation of the sexes was never raised. The Reform movement introduced the organ, abbreviated and modified the text of the prayer book and declared Hebrew not essential for Jewish worship, but Reform synagogues in Europe continued the separation of the sexes at services,<sup>7</sup> as well as the time-hallowed practice of covering the head at worship. Contemporary historians of Reform Judaism have been unable to point to any discussion of the issue in the rich polemical literature engendered by that movement in Europe.<sup>8</sup> Mixed pews are reported for only two or three small left-wing Reform synagogues in Cologne, Hamburg and Berlin. The conclusion is inescapable that, in this respect, the European synagogue was a reflection of European society as a whole.

7. See David Philipson, *The Reform Movement in Judaism* (New York, 1931): "In the Berlin congregation men and women were not seated together, simply because this is not the Continental custom. Family pews were introduced by a congregation on the other side of the Atlantic" (p. 250). "Later a Berlin Reform Congregation, the liberal synagogue on Frankfort and the liberal synagogue in Paris dispensed with the women's gallery" (p. 250).

8. Rabbi W. Gunther Plaut, in a private communication dated Jan. 28, 1985: "I did not do any research into that area when I prepared my two volumes, and I do not remember why. I probably didn't think about it."

Rabbi Walter Jacob, in a letter dated Jan. 11, 1985: "To the best of my knowledge, the separation of the sexes was practiced in German liberal synagogues. I do not know about this matter in the single ultra-Reform congregation of Berlin. In contemporary Great Britain, some congregations permit mixed seating and others do not. Let me add on the other side, that I was quite surprised as a military Chaplain some thirty years ago, to note that mixed seating was permitted by some Orthodox congregations in the Western part of the United States. I remember vividly that one congregation in San Antonio, Texas, prohibited women from sitting in the first five rows, but further back, mixed seating was allowed."



Women were generally relegated to a separate and inferior role in nearly all areas of life and so the synagogues naturally followed suit.

The change to family pews, which had not even been discussed in Europe, became the norm in America, again with no apparent attention to the question at the annual gatherings of the (Reform) Central Conference of American Rabbis. Superficially viewed, it would seem that the abolition of segregated seating is a hall-mark of the egalitarian emphasis in Reform Judaism. A broader survey of the practice, however, leads to a different conclusion — the new practice was a direct consequence of the new American environment. The American frontier had been opened up through the cooperative labors and sacrifice of women as well as men. In all of the major movements in American life, cultural, political and religious, women played an important role and were pressing on to full equality. As a result, the frontier church was open to men and women on an equal basis.

The Jewish community had no such frontier tradition. Nor was the family pew, characteristic of Protestant churches, likely to serve as a model for the immigrants who began streaming into the United States after 1881 from Eastern Europe. They naturally sought to replicate the synagogues as they had known them “at home”; they curtained women off from the main sanctuary or placed them in the gallery. As the process of American acculturation began to influence the immigrants and, even more, their sons and daughters, the physical segregation of the sexes in different areas was abandoned in the synagogues of all the various groups. The only exceptions were the right-wing Orthodox and the Hasidim who set as their goal the reestablishment on American shores of what they believed was the ideal state of Judaism — the East European *shtetl* of the nineteenth century. They, therefore, provided for the strict segregation of the sexes. The bulk of Orthodox synagogues, centrist and “modern”, sought a symbolic practice that would signify “loyalty to tradition” and set them apart from non-Orthodox synagogues. This was found in the *mehizah*, originally made of wood or cloth, but increasingly made of glass and completely transparent.

The practice of the total separation of the sexes, not only at worship in the synagogue but in all areas and activities, has been tactily abandoned. Particularly as one moves away from the Eastern seaboard, one encounters a variety of devices in Orthodox synagogues, designed to pay tribute to the time-honored custom of segregated seating in theory, while surrendering it in practice. Some Orthodox synagogues place women on the side of the main floor, slightly raised above the men’s section. In other instances, the women’s area is separated by a token curtain, which affords total visibility. In some synagogues the large central section is turned over to “mixed pews,” while there are separate sections on the side for men and women. In many instances, major battles have been fought over the requisite height of the *mehizah*, in order to qualify as Orthodox.

In the 1950s the issue of mixed seating became a *cause célèbre*. A group of members of an Orthodox congregation in Mount Clemens, Michigan, sued to prevent the introduction of family pews in the synagogue. Their position was upheld by the court on the ground that the constitution of the congregation established it as Orthodox. The mass of oral and written testimony adduced in the case makes it clear that widespread as the traditional practice was, there are few explicit halakhic sources for it,<sup>9</sup> and that the arguments in its favor are primarily based on inference.<sup>10</sup> Thus, a great contemporary halakhic authority, strongly opposed to mixed seating, declares that segregated seating “would seem to be a biblical injunction” (italics ours). Nineteenth-century European Halakhists had strongly objected to making a *mehizah* of thin boards, as it would “permit the people to see and be seen”<sup>11</sup> and thus lead to frivolity. Several supported their position on the ground that separate seating is a *minhag* and, therefore, sacred and unchangeable.

The powerful impact of the American environment on the seating patterns of Orthodox synagogues is obliquely — and all the more impressively — attested by the Responsa of Rabbi Moshe Feinstein. Rabbi Feinstein, who was universally acknowledged as the supreme halakhic authority of right-wing or sectarian Orthodoxy, strongly urged that women be seated in the upper balcony of the synagogue. However, he was constrained by the prevalent conditions to accept the seating of men and women on the same level, provided that a suitable partition, high enough to cover the women’s heads, be erected. In another instance, he was compelled to go further and permit a lower partition, provided that most of the women’s bodies remain out of sight, and the male worshippers refrain from looking in their direction. Even this concession was not the last. Where no partition existed, he ruled that separate sections might be maintained for men and women on the same level. All of these variations fall within the parameters of legitimate or at least tolerable traditional “limits”, even for this most distinguished exemplar of right-wing Orthodoxy.<sup>13</sup>

9. The material is conveniently assembled in the useful volume by Baruch Litvin, *The Sanctity of the Synagogue*, (New York, 1959), p. 83. the biblical source cited is Zec. 12:32. R. Feinstein’s letter (Litvin, pp. 118–125) also discusses the height of the *mehizah*, which, he declares, must be at least three *ammit* or eighteen handbreadths, “although the heads are visible in such a case, when people stand. For it is highly unlikely that such circumstances can lead to frivolity” (Litvin, p. 123f.).

10. See the comprehensive Responsum of R. Aaron Kotler (Litvin, *Op. cit.*, pp. 125–38), who assembles a large variety of sources. The Responsa of Maharam Schick (*Orah Hayyim* 77), of R. Moshe Sofer and of *Hatam Sofer* (Responsum Hoshen Mishpat 190 and *Orah Hayyim* 28) are reprinted in Litvin, pp. 193–6.

11. This basic quotation is cited in Litvin, p. 194; so, too, R. Hillel Lichtenstein (pp. 196–8).

13. See Ira Robinson, “Because of Our Many Sins: The Contemporary Jewish World As Reflected in the Responsa of Moses Feinstein,” in JUDAISM, 1986, vol. 35: esp. 44.

Another well-known Orthodox rabbi offered as a rationale for the partition that it "is a symbol of loyalty to tradition," without offering a rationale for the inferior role of women at services. That the sexes not commingle and men and women "not see or be seen by each other" is scarcely a motive, since they sit side by side in the same pews during lectures and other occasions. A suburban synagogue carried a provision in its constitution which read, "This congregation shall be governed by the *Shulhan Arukh* except on Rosh Hashanah and Yom Kippur, when mixed pews will be permitted." I know of no important synagogue, recently erected anywhere in the United States, that has made provision for a women's gallery.

The present trend to the right in American religious life, both Christian and Jewish, may have slowed the process of integrating the sexes at services and strengthened the call for higher partitions in Orthodox synagogues. It is noteworthy, however, that the Young Israel, which began as a liberal movement in traditional Judaism, but which has moved to the far right in Orthodoxy, has not forbidden its women worshippers to sing at services, the Talmudic prohibitions notwithstanding.

Clearly, the various patterns of seating in the synagogue, all reflecting a surrender of the principle of segregation, constitute "the American custom." In the years ahead, the American environment and the body of American cultural, ethical and social attitudes will undoubtedly affect various segments of American Jewry and have an impact on the content and spirit of Jewish law. Similarly, the new burgeoning life in the State of Israel will certainly produce a body of custom that will be a new *minhag Eretz Yisrael*, rivalling the older body of custom in talmudic and gaonic times.

No halakhist has thus far been able to validate the family pew from traditional sources, nor has it ever been adopted as a *taqqanah* by a recognized rabbinical body. The tacit surrender of the segregation of the sexes in synagogues of all tendencies is another example of *minhag* triumphing over accepted law. In this instance, it is *minhag America*.

# The Siege and the Civilian

BRADLEY SHAVIT ARTSON

SIEGE WARFARE IS COMBAT IN WHICH AN attacking army surrounds an enclosed group of people — generally including civilians — and prevents any materials, food, or water from reaching them. In Jewish law, sieges are unique in that the practice transcends the established *halakhic* categories of war: while sieges exist in *milḥemet ḥovah* (the Conquest of the Land of Israel), they are also possible in optional wars (*milḥemet reshut*) and in defensive wars (*milḥemet mizvah*)<sup>1</sup> as well. In international law, sieges not only defy categorization, but seem to be, in fact, an exception to much of the modern law on war. Siege warfare is not only unassimilable into the framework of international law, but is a contradiction to it.

The Geneva Convention lays out the general principle that: “Persons taking no active part in the hostilities . . . shall in all circumstances be treated humanely, without any adverse distinction. . . .”<sup>2</sup> The Convention therefore prohibits “violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture.” The principle of the right of civilians to non-involvement is a cornerstone of international law on warfare,<sup>3</sup> yet it is precisely the presence of civilians in besieged cities that gives a siege its effectiveness. The civilians’ suffering, starvation, and epidemics are a necessary catalyst to pressure the military power into an early surrender. An officer besetting a city specifically intends to harm the civilians trapped inside so that they, in turn, will force their military to capitulate. The Bible itself recounts this effect of siege warfare. In telling of Nebuchadnezzar’s siege against Jerusalem, the Second Book of Kings states that “by the ninth day the famine had become acute in the city;

1. In the earliest rabbinic writings on the subject (Mishnah *Sotah* 8), no distinction is made between *milḥemet ḥovah* and *milḥemet mizvah*. The two terms are used interchangeably to describe both the Conquest of the Land of Israel and defensive warfare. The extent of any early distinction is developed in the Babylonian Talmud (*Sotah* 44b) which states that soldiers engaged in *milḥemet mizvah* are exempt from performing other *mizvot*. Even as late as Rashi and Maimonides, Jewish sources speak of only two types of warfare: obligatory (either *hovah* or *mizvah*) and optional (*reshut*). However, in his *Kesef Mishnah* (to the *Mishneh Torah*, Kings and War, Chapter 5, Paragraph 1), Josef Karo expresses astonishment that Maimonides would term the Conquest “*mizvah*” when it was properly “*hovah*”. For the first time, he assumes the three-fold division of legal categories which have generally been retained into modernity.

2. See Louis Henkin, et al., *Basic Documents Supplement to International Law: Cases and Materials* (St. Paul Publishing Co., 1980), p. 397.

3. Ibid.

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there was no food left for the common people.”<sup>4</sup> This assault against civilians has been the repeated practice of countless armies and has received the retroactive justification of legal authorities throughout the ages. Niccolò Machiavelli reports that

Alexander the Great, anxious to conquer Leucadia, first made himself master of the neighboring towns and turned all the inhabitants into Leucadia; at last the town was so full of people that he immediately reduced it by famine.<sup>5</sup>

Note that it is Alexander's intention and, indeed, his policy, to force larger numbers of civilians into the town that he plans to attack. It is precisely their suffering and deaths which will give his siege effect; they serve as catalysts, hastening his victory. And Machiavelli, the counsellor of princes, fully approves of this tactic.

Before we too quickly dismiss siege warfare as a barbaric practice, it might be worthwhile to consider some of the justifications that are offered for its use. In many important ways, the issues which justify siege warfare are still with us and are precisely those values which led to the use of the atomic bomb at Hiroshima, rationalized the fire bombings of European cities, and still argue for ferociousness in war.<sup>6</sup> The two principle advantages of a siege have already been enumerated. The first is that it hastens victory. Alexander used the siege method and “immediately reduced” the town. The argument is made that without an aggressive (even cruel) approach to war, the duration of the war is extended and, therefore, the number of casualties and the extent of devastation increase. By making the war brutal and short, the siege actually spares a larger number of people from injuries and reduces the length of time during which they must suffer.

A second justification for siege warfare is that it leads to surrender rather than requiring defeat. The point of the last paragraph is that the level of suffering and deaths is reduced for both civilians and enemy troops. Alexander's army could afford to sit and wait while the people inside the town brought about their own surrender; he did not have to lose his own soldiers in the process. So, too, Hiroshima was justified (is still justified by some) on the grounds that it saved American lives. Had the bomb not been dropped, the defeat of Japan would have required a hotly-contested invasion. In that process, many American soldiers would have died. The use of the atomic bomb, although extreme, spared those

4. II Kings 25:3. See also Jeremiah 52:4-6. According to Dr. Robert Gordis, the biblical term “*am ha-arez*” refers to residents of the countryside. In that case, this quotation asserts that starvation was rampant in both urban and rural areas. This argument would make the verse less relevant to my argument that sieges were understood to derive their effectiveness from their assault on civilians (“the common people”).

5. Quoted in Michael Walzer, *Just and Unjust Wars* (New York: Basic Books, Inc., 1977), p. 164.

6. See James Turner Johnson, *Can Modern War Be Just?* (New Haven: Yale University Press, 1984).

American soldiers and, in the long run, it is argued, spared a larger number of Japanese as well.

Sieges were not the exclusive practice of the Greeks. Throughout the ancient world, this form of warfare remained common. Developed perhaps by the Assyrians,<sup>7</sup> it was the Romans who truly mastered this type of combat and used it against the people whom they conquered. So we see, for instance, in Josephus' history, *The Jewish War*, that the Roman general (and future emperor) Titus repeatedly employed the siege as just another option of combat. Josephus relates that:

... famine now consumed whole households and families; and the houses were full of dead women and infants; and the streets filled with the dead bodies of old men. And the young men, swollen like dead men's shadows, walked in the market place and fell down dead where it happened.<sup>8</sup>

This suffering was no accident — rather, it was the intended purpose of the entire siege. Repeatedly, in the course of the battle, Titus referred to the suffering inside the city as an inducement for the rebels' ultimate surrender. This same practice was repeated centuries later, with a similar motive and similar justifications. During the offensive against the city of Plevna, when, during the Russian-Turkish war of 1877,

Osman Pasha's [the Turkish commander] food supplies began to fail, he turned out the old men and women who were in the town and demanded free passage for them to Sofia or Rakhovo. General Gourko [the Russian] refused and sent them back.<sup>9</sup>

Osman Pasha, the defending officer, attempted to retard the pressure on his armed force by expelling the civilians from the besieged town. For exactly the same reason, on the other side, the Russian commander forced the civilians back into the town. He needed the starving civilians to pressure his opponent to surrender. Neither commander was interested in the rights or safety of the civilians; both recognized the legitimacy of using those people as pawns in a war in which the civilians were trapped, a practice which remains the standard for international law even today. Legal authority J.M. Spaight writes of General Gourko's action that "he could not do otherwise without detriment to his plans."<sup>10</sup>

That same pattern was repeated at the siege of Leningrad by the Nazi commander, Field Marshal von Leeb, who issued explicit orders for the German forces to employ artillery fire to prevent Russians from fleeing the city into the depths of the Russian countryside. While it is no surprise that Nazis did not value civilian lives, it is noteworthy that the court did not find von Leeb's action a violation of law. Instead, the judges based their ruling on legal authority Charles C. Hyde, who stated that "the pro-

7. See William H. McNeill, *The Pursuit of Power: Technology, Armed Force, and Society Since A.D. 1000* (Chicago: University of Chicago Press, 1982), p. 14.

8. Josephus, *The Jewish War*, Book 6, Chapter 14.

9. Quoted in Walzer, p. 167.

10. J.M. Spaight, *War Rights on Land*, quoted in Walzer, p. 167.



priety of attempting to reduce [a city] by starvation is not questioned."<sup>11</sup> He also commented that

It is said that if the commander of a besieged place expel the non-combatants, in order to lessen the number of those who consume his stock of provisions, it is lawful, though an extreme measure, to drive them back so as to hasten the surrender.<sup>12</sup>

Professor Hyde wrote that statement as recently as 1945! Clearly a tension, if not an outright contradiction, exists between the intentional use of civilian starvation and death to hasten a victory, and the standard of law which exempts non-combatants from the torments of war. Yet international law seems to permit sieges. What has changed in international law since the Second World War is the nominal adoption of the position that all aggressive war is illegal. But what about the status of a siege conducted by a liberating army? What of the right of trapped civilians in that case? On that point, international law remains ambivalent.

There is good reason for that ambivalence. Questions of the value of human life, particularly of civilian life, resonate just under the surface of this entire discussion for, essentially, what sieges represent is combat directed against enemy soldiers but fought through civilians. As the fulcrum for the entire system, it is natural that the value of civilian lives and the extent of their right to immunity should come under question.

The basic moral consideration is whether it is ever justified to take an innocent person's life in order to save the lives of others. What if a siege were to take one hundred innocent civilian lives, but would shorten the war by several months and, in the long run, spare several thousand civilians? In such a situation, is it immoral to launch the siege? This question was central in President Harry Truman's decision to drop the atomic bomb on Hiroshima. He argued, quite plausibly, that dropping the bomb would ultimately take fewer lives than an all-out invasion of Japan, with the brutal door-to-door combat which that invasion would have required.

Such arguments make us uncomfortable, but, as a society, we are involved with them all the time. The decision to mine coal requires a calculation of social gain against a fairly predictable number of accidents and deaths. The decision to construct a highway is made with an awareness of the inevitable automobile collisions and consequent deaths on the road. Decisions to launch a siege or to enforce an effective embargo (another form of siege that is still used today) or to drop a nuclear bomb on civilian targets are simply more dramatic forms of a similar dilemma. Just how valuable is a human life?

A more complex version of the same question involves a distinction between soldiers and non-combatants. Are these lives to be considered according to the same scale? Don't soldiers forfeit their right to immunity

11. Charles C. Hyde, *International Law*, quoted in Walzer, p. 162.

12. Quoted in Walzer, p. 166.

by the fact that they participate in the fighting? Most international law (and most Jewish legal authorities, as well) would agree. But what about the distinction between the soldiers of a defending nation and the civilians of an aggressor state? Again, the example of Hiroshima is fitting — the American soldiers were compelled to fight a defensive war which had been imposed on them by the aggressive policies of the Japanese government. Granted, the Japanese non-combatants in Hiroshima were civilians, but they were civilians of an aggressing nation. How balance those lives? President Truman threw in his judgment on the side of the defending soldiers.

A third question raised by this consideration of sieges is whether a distinction between passive and active behavior is a relevant moral consideration. In a siege, the attacking army simply waits as civilians inside the city starve, die, and pressure their own army to surrender. Just how different is that from an army which actively hunts down civilians to torture or shoot them in order to force the opposing military to admit defeat? And how different is that from dropping a bomb or from our current policy of aiming our nuclear stockpile at Soviet population centers? Isn't that also a siege directed against civilians?

These questions are offered with a sense that no simple answer is possible. The issues are complex, conflicting, and, largely, require an intuitive response. Evaluating the worth of human lives and attempting to distinguish between those lives is a delicate business. The entire corpus of Jewish legislation on siege warfare is an attempt to work out, in practical and concrete terms, the relative worth of civilian lives.

### *Jewish Law*

Rabbinic *halakhah* developed a unique perspective on the use of sieges. In considering an exceedingly common form of warfare throughout the ancient world, *halakhah* took steps to curtail severely the destructiveness which could legally be perpetrated during this form of combat, thereby asserting its own elevated evaluation of the worth of human life.

While the value of *halakhic* perspectives is real, it is nonetheless important to distinguish between actual practices in antiquity and the utopian character of much of Jewish law on sieges. Both the Book of Deuteronomy and Mishnah *Sotah* were compiled by people who were on the losing side of military force. Neither the Deuteronomist nor the rabbis waged sieges, although they all suffered from them. Their legislation did not directly regulate a standing Jewish army, but it did embody their ideals about what a just siege *should* be.

Despite the utopian character of Jewish laws on siege warfare, those laws command our attention (and respect) in that they demonstrate a sensitivity to war's horrors. While the Deuteronomist and the rabbis may not themselves have been warriors, they were not strangers to the devastating

impact of military conflict. Their perspectives are those of people who know how horrible war is, precisely because they were not conquerors or great soldiers. Living as we do in an age which has also experienced military horror, we can benefit from the wisdom of others who have walked that path before us.

Ultimately, Jewish law read siege warfare as beyond the level of warfare that is permissible on moral grounds. To borrow the somewhat extreme language of Michael Walzer, Jewish law on sieges in the Twelfth Century embodied the view that "the deliberate slaughter of innocent men and women cannot be justified simply because it saves the lives of other men and women."<sup>13</sup> According to this view, a siege cannot be justified because fewer soldiers will die or even that, in forcing the war to end more quickly, more lives might be saved. The *halakhic* assumption of the enormous value of each human life also prevented a simple mathematical equation in which one could tally the number of innocent lives lost against the potential lives saved. Rare, indeed, were the occasions in which innocent life was surrendered in order to protect a group of innocent people.<sup>14</sup> However, even there the complexity of the position mitigated against the flat assertion of a simple position. At most, one could assert that innocent people retain a nearly absolute right to live. They alone possess the right to relinquish their non-belligerency — and, thus, their right to protection. Only by choosing to participate in the fighting do they waive their protected status. Sieges, by their very nature, ignore that distinction. Furthermore, we shall see that Jewish law on sieges refuses to admit of a distinction between passive and active behavior in this context. Siege-making is an active process. As Walzer correctly queries:

... isn't locking them [the civilians] into the besieged city morally the same as driving them in? And if it is, shouldn't they be let out, so that those that remain, to fight and starve, can really be said to have chosen to remain?<sup>15</sup>

Very few military forces (including Israel's) have observed the general regulations surrounding siege warfare. Interested in rapidly subduing their enemies, armies have performed whatever was necessary to speed a surrender — even if the required cost was innocent civilian lives.

The Torah, as well as rabbinic law, represents a reaction against the devastation brought on by sieges. Without outlawing the practice entirely, the Torah and the early rabbis strictly limit what was considered to be legal practice under those circumstances. The laws on siege warfare represent yet another instance in which the rabbis concretized their moral advocacy for life into the practical reality of law.

While both biblical and rabbinic Judaism place limitations on the practices permissible in siege warfare, their approaches to this type of

13. Walzer, p. 262.

14. See, for instance, David Daube, *Collaboration with Tyranny in Rabbinic Law* (London: Oxford University Press, 1965).

15. Walzer, p. 165.

combat differ fundamentally. Despite the limitations that it sets, the Torah clearly permits such warfare, and the laws prescribed for this type of battle were followed by later siege makers (such as Joab and David).

One of the earliest traditions of siege warfare which was used to limit the devastation is the biblical requirement first enunciated in Deuteronomy: "When you approach a town to attack it, you shall offer it terms of peace."<sup>16</sup> That same passage continues by insisting that the inhabitants of the town must be given an opportunity to accept the peace terms, and it is only upon their rejection that a siege may commence:

If it [the town] responds peaceably and lets you in, all the people present there shall serve you at forced labor. If it does not surrender to you, but would join battle with you, you shall lay siege to it.<sup>17</sup>

Here, permission to lay siege is presented as the only way to conquer a town which has refused to surrender. The Book of Deuteronomy then proceeds to state that

. . . when the Lord your God delivers it into your hand, you shall put all its males to the sword. You may, however, take as your booty the women, the children, the livestock, and everything in the town — all its spoil — and enjoy the use of the spoil of your enemy which the Lord your God gives you.<sup>18</sup>

This regulation applied only to towns outside of the Land of Israel, "towns that do not belong to the nations hereabout."<sup>19</sup>

The prophet Ezekiel provides a valuable description of the actual method of siege warfare. In a prophecy, God tells him to

take a brick and put it in front of you, and incise on it a city, Jerusalem. Set up a siege against it and build towers against it, and cast a mound against it; pitch camps against it and bring battering rams about it.<sup>20</sup>

That same procedure is repeated by Jeremiah and by Isaiah<sup>21</sup> and must have reflected contemporary practice. Besieged cities were surrounded by a mound of dirt which provided archers with protection and a clear view of the city. Towers were erected for a similar purpose. Finally, battering rams were used to break through the walls. Evidently this last point of information would suggest that armies did not necessarily wait for sieges to reach their inevitable conclusion — the starvation of people inside the walls. Instead, the armies would hasten the end of the siege (and of the war) by breaking through the walls.

The first reference to an historical siege in the Tanakh describes one that was commenced by David's general Joab and concluded by the king

16. Deuteronomy 20:10.

17. Deuteronomy 20:11-13.

18. Deuteronomy 20:13-14.

19. Deuteronomy 20:15.

20. Ezekiel 4:1-2.

21. Jeremiah 52:4; 6:6; 32:24; 33:4. Isaiah 37:33.

himself. It is noteworthy that the laws of siege warfare recorded in the Book of Deuteronomy are followed in this account:

Joab attacked Rabbah of Ammon and captured the royal city. Joab sent messengers to David and said, "I have attacked Rabbah and I have already captured the water city. Now muster the rest of the troops and besiege the city and capture it; otherwise I will capture the city myself, and my name will be connected with it." David mustered all the troops and marched on Rabbah, and he attacked it and captured it. The crown was taken from the head of their king and it was placed on David's head — it weighed a talent of gold, and [on it] were precious stones. He also carried off a vast amount of booty from the city. He led out the people who lived there and set them to work with saws, iron threshing boards, and iron axes, or assigned them to brick-making . . .<sup>22</sup>

Once Joab gained control of the city's water supply, he turned over the remainder of the siege to David. After he took the city, David did, indeed, induce all of the city's inhabitants to work at forced labor, and he took booty for himself and for his troops. The one aspect of the law which he did not follow was the instruction to kill all of the male inhabitants. Neither in this version nor in its parallel re-telling does David appear to follow through on that horrible commandment.<sup>23</sup>

A second biblical siege emerges from the same era, involving the same person. Once again Joab led a siege, this time against a Jewish town which, evidently, harbored Sheba ben Bichri, a man who had rebelled against King David. Joab and his army pursued Sheba up to the walls and then they set up a siege:

[Joab's men] came and besieged him [Sheba ben Bichri, the rebel,] in Abel of Beth-Maacah; they threw up a siege mound against the city and stood against the rampart. All the troops with Joab were engaged in battering the wall . . .<sup>24</sup>

In the midst of their efforts to take the town, one of its inhabitants offered to throw over Sheba's head. Once that was done, Joab and his army departed. It is interesting to observe the similarity between this historical narrative of a siege and Ezekiel's prophetic version of such warfare.

Early rabbinic literature continues the biblical precedent of permitting siege warfare. Even as late as the Babylonian Talmud there is a discussion about a Jewish siege:

One does not besiege Gentile towns less than three days before Shabbat, but if they are commenced, they do not stop. And thus did Shammai say: "Until it is subdued — even on Shabbat."<sup>25</sup>

The sages of the Talmud are concerned here with a proper observance of Shabbat, not with the permissibility of sieges. In fact, this passage considers that permissibility so self-evident that there is no attempt at justifica-

22. IISamuel 12:26-31.

23. IChronicles 20:1-3.

24. IISamuel 20:15.

25. B. *Shabbat* 19a.

tion or even of simple notice. This regulation merely mandates that, if it is already underway, a war is not to be interrupted for the Sabbath.

At the same time, rabbinic traditions also continue the biblical precedent of establishing limits to legitimate practices during sieges. Commenting on the phrase, “when you approach a town to attack it,” which initiates the regulations on siege warfare, *Devarim Rabbah* comments that “many regulations were made in the interests of peace.”<sup>26</sup> There is a perception that these regulations are designed to limit the destructiveness of sieges and may have been abetted by the rabbis’ acute awareness of how devastating sieges had been for the Jewish people. Beginning with the siege of Jerusalem in 586 BCE, which is still mourned as a national disaster, the Jews had been exposed to tragic sieges during the time of the Maccabees and, repeatedly, under Roman rule. The regularity of such sieges is attested to by references in Jewish law: the Mishnah discusses the implications of Roman sieges for certain aspects of Jewish laws of ritual purity;<sup>27</sup> rabbinic authorities questioned whether one could assume that all women would be raped during the aftermath of a siege and whether wine would be used for libations by pagan conquering soldiers. The consensus of the Babylonian Talmud seems to be that the soldiers would not have time for libations but would make time for the rapes.<sup>28</sup>

Consequently, a significant strain of rabbinic thought turned against them and Talmudic tradition incorporates the biblical requirement of peace offers, even elaborating that requirement. Thus, *Sifre Devarim* insists that messengers of peace must be sent to a city for three consecutive days, and establishes limits for the permissible size of a besieged town, insisting that a village whose inhabitants cannot defend themselves may not be subjected to a siege.<sup>29</sup> According to *Midrash Tannaim*, even if the enemy city rejects the peace terms, the actual siege may not begin until the enemy has commenced hostilities.<sup>30</sup>

Adding another requirement to the laws of siege warfare, one unprecedented in legal history, *Sifre Devarim* mandates that the people in the besieged town must have an opportunity either to make peace or to evacuate the town.<sup>31</sup> Constant access to escape for the besieged civilians became the fundamental Jewish law to guarantee that no one be held involuntarily within the town walls. If there was constant access to escape, then those civilians who remained inside the town were choosing to do so, were, in effect, electing to become soldiers, thereby waiving their non-combatant immunity. The proviso to permit escape became the distinguishing feature of the Jewish law on sieges. More than that, it essentially

26. *Devarim Rabbah* 5:12.

27. M. *Ketubbot* 2:9, M. *Avodah Zarah* 4:6, B. *Shabbat* 41a.

28. B. *Ketubbot* 27a.

29. *Sifre Devarim* 20:19 and to *Devarim* 20:10.

30. *Midrash Tannaim* 21:20.

31. *Sifre Devarim* 20:10, and *Sefer HaHinukh* 527.



abrogates the permissibility of siege warfare. By insisting on the right of civilians to escape at any point of a siege, the sages render the siege useless. This novel requirement also demonstrates their profound respect for human life and for civilian immunity. By requiring such extreme protection of civilians, the rabbis cast their judgment against a form of warfare which is still in use today. In line with that new requirement, *Midrash Tannaim* adds that anyone who escapes from the besieged city to the camp of Israel is granted freedom.<sup>32</sup>

The requirement to leave a path for escape is particularly stressed by medieval thinkers, notably Maimonides and Nachmanides. Maimonides writes:

When siege is laid to a city for the purpose of capture, it may not be surrounded on all four sides, but only on three in order to give an opportunity for escape to those who would flee to save their lives . . .<sup>33</sup>

Maimonides does not view this law as one of the 613 commandments given by God in the Torah, regarding it, instead, as contained within the rubric of a more inclusive commandment dealing with war in general. Nachmanides, on the other hand, feels that it is important enough to warrant consideration as a separate commandment. Attempting to correct Maimonides, he writes that

when besieging an enemy city we are to leave a road open so as to give the inhabitants a possibility of escape and that we are to remember to deal kindly with our enemy.<sup>34</sup>

Both men note an immediacy to the commandment. Maimonides writes in the present tense, after an introductory comment that the commandments apply to each generation. Nachmanides makes that caveat more explicit by speaking of when “we” are besieging a city. He also accents the ethical quality of the practice of leaving an avenue of escape by linking it to the larger goal of dealing kindly with our enemies. Thus, by the time of the Babylonian Talmud, the notion of siege warfare had been rejected by significant voices within Jewish tradition. It became normative by the time of Maimonides, and it retains its relevance for our own day as well.

*Halakhah* is, indeed, a rare legal system: it seriously attempted to enact the concern expressed much later in the Geneva Convention that “persons taking no active part in the hostilities [shall not suffer] any adverse distinction.”<sup>35</sup> While military history throughout the world records sieges in which countless civilians were trapped behind walls and then forced slowly to succumb to starvation and disease, already two thousand years ago Jewish law had enacted legislation to preserve the

32. *Midrash Tannaim* 20:10 on Deuteronomy 23:16.

33. *Mishneh Torah*, Kings and War, Chapter 7, Paragraph 7.

34. Nachmanides, quoted in *Maimonides: The Commandments*, translated by Charles B. Chavel (London: The Soncino Press, 1967), p. 263.

35. See Henkin, p. 397.

immunity of the non-combatant. Only when this distinction was observed were sieges permissible.

The principle of protecting civilians is also paralleled by legislation to limit the destructiveness of sieges on the surrounding environment. The Book of Deuteronomy declares:

When in your war against a city you have to besiege it a long time in order to capture it, you must not destroy its trees, wielding the ax against them. You may eat of them, but you must not cut them down. Are trees of the field human to withdraw before you under siege? Only trees which you know do not yield food may be destroyed . . .<sup>36</sup>

The biblical law, as we see, limits the degree of destruction that a besieging army may bring about. No fruit-bearing trees may be destroyed. The Torah then includes a rather strange argument, that the trees are not human and cannot flee. Paradoxically, however, the Torah undercuts the argument that the trees deserve consideration similar to that extended to people by permitting the destruction of non-fruit bearing trees.

The plain inference must be that those trees which supply sustenance for people are to be preserved; a “slash-and-burn” policy of warfare is prohibited. The Bible scholar, Gerhard von Rad, points out that

the fact that Deuteronomy contains in the contexts of its laws concerning war a rule to protect fruit-growing trees is probably unique in the history of the growth of a humane outlook in ancient times. Deuteronomy is really concerned to restrain the vandalism of war and not with considerations of utility.<sup>37</sup>

War which goes beyond military victory to the devastation of peoples’ sources of living is no longer in the category of war — it is *hamas*, violence. That, in the end, will doom entire regions and large populations to continuing starvation and death long after the fighting has stopped. Such killing has no place in the Jewish scheme and is plainly forbidden. The implication of this concern directly relates to most modern wars and, certainly, to nuclear war. If we are to consider seriously that war should not have long-term environmental effects, then the use of napalm in the Vietnam War, or a scorched-earth policy would be ruled out from the start. How much more so nuclear war, which is, of necessity imprecise and uncontrollable.

Deuteronomy is pointing to a requirement that warfare must be an inter-human affair alone. The rest of the ecosystem is not to bear the brunt of human policies of aggression or even of defense. In a similar spirit, Maimonides adds to the prohibition against destroying fruit-bearing trees, saying that

not only one who cuts down trees, but also one who smashes household goods, tears clothes, demolishes a building, stops up a spring, or destroys

36. Deuteronomy 20:19-20.

37. Gerhard Von Rad, *Deuteronomy: A Commentary* (Philadelphia: Westminster Press, 1966), p. 133.

articles of food with destructive intent, transgresses the command: "Thou shalt not destroy."<sup>38</sup>

Dr. Robert Gordis has pointed out that Maimonides' understanding of the Deuteronomic verse is, in many ways, an expansion of the latter's concern. Whereas the biblical passage mentions only natural objects, Maimonides includes human inventions — homes, clothing, and buildings. Equally significant, while the Bible speaks only of a condition of warfare, Maimonides extends the prohibition against wanton destruction to include times of peace as well. Indeed, elsewhere he writes that "all [needless] destruction is included in this prohibition."<sup>39</sup>

Following through on the insight of the Torah, Maimonides makes it clear that wanton destruction of the necessities of life is another way of attacking civilians. To permit the destruction of those necessities while insisting that civilians have the right to escape would be opening the door to their safety with one hand and shutting it with the other. Such a confused situation is not tolerable. *Halakhic* consensus mandates the protection of civilian lives and of the sources which maintain them.

Limiting the conduct and the level of devastation permissible during siege warfare builds upon the base already developed in *milhemet hovah* which establishes certain requirements for channeling and curtailing the impact of combat. The law of sieges adds further restrictions. *Halakhah* guarantees the rights of citizens to remain, in effect, neutral. Even in a legitimate siege, destruction must be limited to military targets — either people or objects serving military purposes. And the law seems clearly to prohibit the widespread devastation which has typified so much of humanity's wars, in that it forbids total destruction, random terrorist assaults, or attacks on civilians, their homes, offices, schools, and hospitals. *Halakhah* on sieges teaches that the legitimate targets of military attacks are military objects alone — soldiers, army bases, weapon caches. Methods of attack which move beyond this limit enter the area of *hamas*, of destruction forbidden by several traditions.

This last facet of the law on sieges has important ramifications in the consideration of the justice of any conventional war. It has an even greater impact on assessments of the morality of using nuclear weapons, since those weapons — even the smallest of them — are far less susceptible to precise targetting. The law of siege warfare contributes to a *halakhic* ability to distinguish between a permissible way of conducting war from ways too costly in resources and lives to be tolerated. The laws of sieges establish a standard of, and contribute an insistence on, proportionality and civilian immunity in any Jewish consideration of war.

38. *Mishneh Torah*, Kings and War, Chapter 6, Paragraph 10.

39. *Sefer Ha-Mizvot*, Negative Commandment 57.

# *Jews and Christians on Matters of Life and Death*

MICHAEL GOLDBERG

FOR A LARGE PART OF THEIR HISTORIES, IF Jews and Christians addressed each other at all, they typically spoke only *at* one another in religious polemics. In recent years, however, the two communities have begun to converse *with* one another through interfaith dialogues and, even more recently, they have begun to talk to the wider society around them via interreligious coalitions. Emblematic of this contemporary phenomenon is a new work jointly published by the Union of American Hebrew Congregations and the National Conference of Catholic Bishops. Entitled *The Challenge of Shalom for Catholics and Jews*, it was intended as a “dialogical discussion guide” to the 1983 U.S. Catholic Bishops’ pastoral letter, “The Challenge of Peace,” which sought to bring religious tradition to bear on American policy regarding nuclear weapons. Hence, the editors of the volume, Annette Daum and Eugene Fisher, state their hope that

the cooperative efforts for peace that may ensue on the local level will reflect an awareness of the depth of insight that our two traditions each bring to this most crucial issue of our times . . . [so that] the actions of Catholics and Jews for peace will shine forth as a true “Sanctification of the Name,” a true witnessing to the One God and a preparation for the coming of the Reign of God on earth, for which both communities so deeply yearn.<sup>1</sup>

Yet, as commendable as such efforts may be for spurring Jews and Christians to communicate with one another as well as with society at large, each community must first listen closely to the distinctive voice of its own tradition precisely with regard to the issue of sanctifying God’s name through bearing faithful witness to his kingship. Otherwise, the voice most likely heard will be but an echo of the prevailing “worldly wisdom” that would reduce all talk of God to so much “baby-talk” — speech which, though perhaps cute and endearing, is hardly fit for grown-ups who should, presumably, know better. In this respect, what the Jewish and Christian dialogue partners in *The Challenge of Shalom* apparently endorse

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1. Annette Daum and Eugene Fisher, eds., *The Challenge of Shalom for Catholics and Jews: A Dialogical Discussion Guide to the Catholic Bishops’ Pastoral on Peace and War* (n.p.: Department of Interreligious Affairs of the Union of American Hebrew Congregations and The Secretariat for Catholic-Jewish Relations of the National Conference of Catholic-Jewish Relations of the National Conference of Catholic Bishops, 1985), introduction.

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— namely, a bilateral verifiable freeze on the testing, production and deployment of nuclear weapons<sup>2</sup> — may bespeak a certain wisdom, but not necessarily that of either of their two traditions.

Trying to articulate the stance of Catholic tradition, one of the book's contributors, John Pawlikowski, refers to the insistence of the bishops' pastoral "that those in leadership positions in society need to take [Augustine's] Just War theory as their basic framework for moral judgment."<sup>3</sup> Such a theory works on the notion that, for some wars, at least, there are causes justifying a resort to violence, such as, for instance, a need to defend oneself or one's liberty, or to right some wrong inflicted on humanity. From those premises, the pastoral concludes that "every nation has a right and duty to defend itself against unjust aggression."<sup>4</sup>

Even so, Pawlikowski notes that among both the earliest Church Fathers, such as Tertullian and Origen, and the latest Catholic exegetes, such as Donald Senior, there is substantial agreement that a pacifist ethic regarding issues of war — whether nuclear or any other — is the only one ultimately appropriate for Christians. In Senior's words, "The Christian is not to adopt destructive violence as a way of transforming the world."<sup>5</sup> And for those who would see life formed in the image of Jesus' crucifixion and resurrection, what other outlook could there be?

For consider: as God incarnate, Jesus theoretically had the power to unleash deadly violence to save himself; he could, for example, have succumbed to the taunts to save himself and come down from the cross<sup>6</sup> — and then crucified, in his stead, those who had unjustly sought his execution. Yet Jesus' response was altogether different. For, on the cross, he responded non-violently, displaying the kind of self-sacrificing love intended not to save himself, but, rather, to save the world. The power of such love was not marked by its ability to kill those who meant to kill him, but, rather, by its capability to empower him to give his life for others and even for — and most notably for — those who threatened to take his life. Furthermore, if Jesus' subsequent resurrection shows anything, it makes manifest that such self-sacrificing love truly does save life — and the world — where nothing else can. What choice, then, remains for those who would be counted among his faithful but similarly to respond when confronted with the threat of injustice and/or death? Thus, for Christians to speak of a "just war" may be, for them, to utter an oxymoron, a contradiction in terms and, consequently, the task for Christians concerning the nuclear arms race — or any arms race — may not be to call for a bilateral verifiable freeze, but for unilateral disarmament, pure and simple. Only

2. Ibid., cf. pp. 23, 87.

3. Ibid., p. 14.

4. Ibid., see p. 94 quoting Part I, sec. A, par. 2 of the Bishops' Pastoral; cf. also p. 12.

5. Ibid., p. 62 as cited by Pawlikowski.

6. Cf. Mt. 27:40; Mk. 15:30.

thus can Christians witness credibly to the advent of a kingdom heralded by its Lord's gracious — i.e., unilateral — act of peacemaking.

Interestingly, although the bishops, following Augustine, seem to lose sight of the centrality of a pacifist ethic for Christianity, Annette Daum implicitly recognizes it when, writing of Judaism, she observes that, by contrast, “the mainstream of Jewish tradition is *not* pacifist in orientation”; the premium that Judaism places on self-preservation, she notes, neither prescribes that one “sacrifice his/her life to save another” nor “rule[s] out self-defense.”<sup>7</sup> Strikingly, however, while Daum stresses the importance that Jewish tradition attaches to survival, she offers little explanation showing why that concern ought to be so central for the tradition or how it might be tied to that other key concern of Judaism, namely, sanctifying God's name by witnessing to his kingship. At most, such issues are touched on only indirectly through a passing reference to Israel's Exodus from Egypt wherein

God is perceived as a caring Deity, as one who protects the Israelites from their enemies against overwhelming odds, and as Redeemer leading the Israelites in battle to escape from fear and bondage to freedom and security in the Promised Land where they are to live in Covenantal fidelity which requires the pursuit of justice and peace.<sup>8</sup>

But if the Exodus is to serve as adequate backing for Jewish convictions about the value of survival, the event's significance needs to be explored more fully.

While the gospel stories depict human life as ultimately being saved through God's act of self-sacrifice in Jesus, the Exodus narrative portrays God's life-saving actions in a very different manner. For, in the Exodus, salvation comes, not through any acts of self-sacrifice, whether God's or Israel's; rather, it occurs through God's measures taken to save Israel alive from the forces of the life-threatening Egyptians — even at the cost of sacrificing Egyptian lives, as perhaps most graphically demonstrated at the Re(e)d Sea: “Thus the Lord saved Israel that day from the power of the Egyptians — and Israel saw the Egyptians dead on the seashore.”<sup>9</sup>

Clearly, one of the implications of the Exodus is that Jewish survival in the world matters a great deal. But, again, *why*? From the perspective of the Exodus, one answer transcends all others: the survival of God's own reputation — his “name” — depends on the rescue and preservation of the house of Israel. Thus, before inflicting on Egypt a series of awesome plagues, God sums up for Moses their rationale, indeed, the very point of Israel's surviving Egypt:

I will harden Pharaoh's heart that I may multiply my signs and wonders in the land of Egypt. When Pharaoh will not listen to you, I will lay my hand upon Egypt and bring out my ranks, my people, the Israelites by great acts

7. Daum and Fisher, p. 16.

8. *Ibid.*, p. 15.

9. Ex. 14:30.



of judgment. *Then the Egyptians will know that I am the Lord when I stretch out my hand over Egypt and bring out the Israelites from their midst.*<sup>10</sup>

Starkly put, God's existence as God of the world hinges on the existence of the Jewish people in the world — *and vice-versa*. Thus, Jewish survival can never be an end in itself — whether for the Jewish people or for the King affirmed by that people at Sinai. Instead, Jewish perseverance in the world is to be a persistent way of telling the world the truth about the world: that there is only one true Lord with whom the world can dependably ally — i.e., covenant — to save it from every Pharaonic attempt to enslave it to some false overlord and to lead it to its place of promise where, at last, it can live in peace. To dedicate life to such truth-telling, to such *witness*, about God's reputation is to devote life to sanctifying God's name as "God."

Yet, oddly, Daum mentions the notion of *Kiddush HaShem* — the "sanctification of God's name" — but once — and then only to dismiss — and thereby miss — its significance. Speaking of nuclear war, she says that "death for the sake of Kiddush HaShem . . . loses its meaning for there can be few, if any, survivors."<sup>11</sup> But life as testimony to the truth about Whose power ultimately sustains life is life lived in the hope that such testimony will finally be borne out by the evidence — namely, the evidence provided *by the preservation of some God-devoted lives*, no matter whether those lives be few or many. For lacking even *the possibility* of such validation, statements like Daum's characterizing God as the "caring Deity . . . who protects . . . against overwhelming odds" become but religious humbug.

If, however, talk about God as redeemer is to be taken as more than mere posturing or pretense, then words like those of Maimonides, reflecting earlier rabbinic teaching, have to be taken seriously:

At a time of persecution when . . . decrees are issued against Israel aimed at abolishing their religious practice [Hebrew: *dat*] . . . , then let [a Jew] suffer death and not breach even one of . . . the commandments.<sup>12</sup>

The tradition here makes sense precisely to the extent that there is a truly steadfast King of Kings to come to Israel's rescue before the life of the last man or woman is given up.<sup>13</sup> As importantly, its sense depends on life's

10. Ex. 7:3-5, emphasis added; cf. also Ex. 8:18, 9:13-16, and 14:1-4. See as well my book, *Jews and Christians, Getting Our Stories Straight: The Exodus and the Passion-Resurrection* (Nashville: Abingdon, 1985), with my comments on these passages.

11. Daum and Fisher, p. 20.

12. *Yad, Hilkhot Yesodei HaTorah* 5:3; cf. also *Sanh.* 74a-b. Significantly, Maimonides' teaching here comes almost immediately on the heels of his opening remarks in this chapter (i.e., in 5:1) pointing out that "all members of the house of Israel are commanded to sanctify God's great name and warned not to desecrate it." As his "proof-text," Maimonides quotes Lev. 22:32: "You shall not profane My holy name, that I may be sanctified in the midst of the house of Israel."

13. Or, as Amos Oz has alternatively — and quite elegantly — expressed the issue, "from a theological viewpoint the covenant between God and His people can exist — and will be con-

being given over not to sheer survival, but to the truly steadfast service of the King espoused in Israel's covenant and avouched by Israel's practice. From such a perspective, the threat of death by nuclear war may not be the worst thing imaginable; rather, living a lie may be.

But living life as truthful witness may entail other sorts of encounters with death as well. For there may well be other times when Jews, like their Lord — and unlike Christians and theirs — have occasion to resort to deadly force to preserve the truth *embodied by Jewish existence* in the face of attempts to kill it.<sup>14</sup> Consequently, from the standpoint of Jewish tradition, certain wars become incumbent, such as those against the likes of Amalek.<sup>15</sup> The Amalekites were the first to attack Israel after the departure from Egypt; as Moses reminds the people, they ambushed “the stragglers at your rear, when you were exhausted and weary, thereby showing no reverence for God.”<sup>16</sup> Preying upon those most vulnerable, Amalek acts as though the Exodus had never happened and, in the process, becomes a paradigm of all who would act as though their intended victims had neither defense nor defender against such ruthlessness. But for an Exodus-shaped vision of reality, the defeat of Amalek and the vindication of God are, finally, both in the hands of those who would join hands with God to do battle against Amalek:

Moses said to Joshua, “Pick some men for us, and go out and do battle with Amalek. Tomorrow I will station myself on the top of the hill with the rod of God in my hand.” Joshua did as Moses told him and fought with Amalek, while Moses, Aaron, and Hur went up to the top of the hill. Then, whenever Moses held up his hand, Israel prevailed. . . .<sup>17</sup>

Drawing an analogy to more recent events, Daum quite correctly says  
sidered as existing — even if there are *no more than ten Jews left* in the whole world” — i.e., the minimum number required for a quorum symbolizing the presence of the Jewish community in whose midst the presence of God is considered to be (Amos Oz, *In the Land of Israel*, tr. Maurie Goldberg-Bartura [San Diego: Harcourt Brace Jovanovich, Inc, 1983], pp. 146-47; emphasis added).

14. Clearly, Maimonides' teaching on the circumstances requiring Jews to give up their lives in the face of persecution as a way of sanctifying God's name reflects, like the teaching of the Talmudic sources on which he relies, precisely those circumstances when Jews could offer no other resistance *except* to surrender their lives as a witness *against* the falsehood that their tormentors would have them commit and thus simultaneously *to* that truth without which life for those Jews was not only *not* worth living, but, more fundamentally, simply *unliveable*.

However, were those circumstances to change, such that Jews were to have other means of resistance available to them — *viz.*, armed resistance — then resort to these other forms of resistance would thereby become not merely possible but literally *imperative* for Jews. (See the discussion in the text and notes *infra*.) Such armed resistance did, in fact, occur in times past in Jewish history, e.g., during the period of the Maccabees. In our times, which have seen the establishment of the State of Israel, Jews are, once more, following a two-thousand year virtual hiatus, in position to have access to force of arms to stand against any hostile forces wishing to wipe out Jews or Judaism — and what they stand for.

15. Cf. *Yad, Hilkhot Melakhim* 5:1, 5.

16. Deut. 25:18.

17. Ex. 17:9-11.

that “since Hitler [can be] regarded as the epitome of Amalek in our own time, a war against Nazism would be considered obligatory.”<sup>18</sup> But what if a Nazi-like power were currently to possess the power of nuclear weapons — as, indeed, its forebear almost succeeded in doing some forty years ago — thereby triggering the first nuclear arms race? Clearly, we might hope for some bilateral pact to freeze, build-down, or just plain limit the development and use of such weapons; after all, for those whose central image of community is formed by a mutually-binding covenant, how could things be otherwise? Indeed, rabbinic tradition actually mandates just such peace overtures.<sup>19</sup> And yet — a confirmed Hitlerian regime might well dash such treaty hopes since part of what it means to be a Nazi, i.e., of what it means for Amalek to be Amalek, is to be an implacable enemy bent on eliminating the Jewish people from the world — and with them the God whose people, Jews — and all people — are ultimately called to be.<sup>20</sup> In the last analysis and as a last resort there may simply be no possibility of dealing with such adversaries except through possibly dealing them a deadly blow — and even, perhaps, as Jewish tradition allows, through possibly striking the first blow.<sup>21</sup>

18. Daum and Fisher, p. 18.

19. Cf. *Yad, Hilkhoh Melakhim* 6:1. Cf. also 6:6, where regarding even Ammonites and Moabites whose peace and welfare Israel is forbidden to seek (according to Deut. 23:7), the *halakhah* nevertheless dictates that should these two peoples seek to make peace with Israel first, Israel is then obligated to reciprocate.

Raising a related point on the issue of the measures required by Jewish law to prevent bloodshed through war, some recent commentators have cited Maimonides' teaching in 6:7 that civilian populations may not be attacked unless there is some provision made for them to escape with their lives; such commentators have then gone on to say that “the very nature of nuclear weapons makes protection for civilian populations meaningless” and, therefore, the use of nuclear weapons is ruled out by Jewish tradition. (See Rabbi David Saperstein, ed., *Preventing the Nuclear Holocaust: A Jewish Response* [New York: Union of American Hebrew Congregations for the Commission on Social Action of Reform Judaism, 1983], p. 10.)

However, in the contemporary era, the example of Nazi Germany serves as perhaps the paradigmatic reminder of the responsibility that all citizens, civilian as well as military, must bear for the character of both the government and the society in whose realm they live. Indeed, the Holocaust may be that event in modern history which gives the ancient biblical — and Jewish — notion of corporate responsibility fresh — and frightening — emphasis. Hence, in a nuclear age, the best route open to civilian populations to escape attack may well be to take responsible steps to form polities whose national policies are decidedly non-Hitlerian. Failing to take such responsibility, both combatant and non-combatant populations may have to take the disastrous, terrible consequences of their politics.

20. Indeed, as one of the necessary conditions that Israel must satisfy before it makes war against any other nation — Amalek included — *Yad, Hilkhoh Melakhim* 6:1 stipulates that Israel must give that nation the opportunity to accept the so-called “Noahide Laws,” among which are prohibitions against murder and desecrating God's name (cf. 9:1) — two prohibitions which the Nazis violated repeatedly and often, it seems, with a kind of perverse delight.

21. Cf. *Sotah* 44b where Rabbi Judah and the Sages disagree about the status of those wars waged to pre-empt the possibility of an attack upon the Jewish people by others. While Rabbi Judah declares such pre-emptive strikes to be obligatory, the Sages, whose position here reflects the majority ruling in the matter, declare them only to be optional.

And, in a nuclear age, that may be the greatest risk of faith of all; it may, indeed, be the most terrifying risk of all, for, whereas their faith poses for Christians the grim prospect of letting themselves be killed *en masse*, that of Jews raises the awful spectre of their letting loose massive killing.<sup>22</sup> But if Jewish talk about “a war against Nazism [as being] . . . obligatory” is to be taken seriously, rather than as mere melodramatic bluster, then such potentially awesome consequences must be taken seriously as well. And, more importantly, if Jewish talk about God as humanity’s “co-partner in redemption” is to be taken as true piety and not as mere pietism, then such Jewish talk and faith both hinge on the deep-seated conviction that the outcome of human history is such that humanity is not finally left totally to its own devices — nuclear or otherwise.<sup>23</sup>

Even so, both Rabbi Judah and the Sages would presumably agree that, in the case where a hostile power had explicitly declared a war of extermination on the Jewish people, and had then started actually to implement such a policy wherever they could, as for instance by sending Jews under their dominion to their deaths in concentration camps, then, in that case, even a nuclear first-strike against such a power might not only be a possible option, but, indeed, a required one.

In any case, however, as the discussion in this note, as well as that in the two previous ones, ought to make clear, the resort to war — whether nuclear or any other — is always to be for Jews a *last* resort, coming only after *all* peaceful means of settling differences have been exhausted, as such means are *specified* by Jewish tradition.

22. As Stanley Hauerwas has insightfully pointed out in his recent book, *Against the Nations: War and Survival in a Liberal Society* (Minneapolis: Winston Press, Inc., 1985), for many advocating “peace” these days

the peace sought is the peace of order that first looks to insure the survival of ourselves and of those closest to us. Of course we do not desire to kill anyone else in the process of ensuring our survival, but the stress is still put on our own survival. Thus, what bothers us most about the threat of nuclear weapons is not that we may be implicated in the murder of millions of Russians but that we may be killed if a nuclear exchange occurs between the United States and Russia (p. 163).

23. In the debate over current nuclear policies and their potentially world-ending outcomes, those who might typically characterize themselves as “religious liberals” often put forward the kind of argument that, ironically, reflects the very sort of apocalyptic vision of an all-consuming end-time frequently ascribed to “religious fundamentalists.” For example, the cover of the aforementioned *Preventing the Nuclear Holocaust*, published by the Reform wing of American Judaism, prominently displays just such apocalyptic images: the mushroom cloud of a nuclear explosion above a picture of an ark riding on the floods — the iconographic symbols of a world-destroying catastrophe. And, of course, also on the book’s cover is its title and in that title a word which for Jews may spell the epitome of Doomsday — “Holocaust.”

And, yet, while there may perhaps be nothing wrong for Jews to have apocalyptic — i.e., revelatory — visions of the end, there is something wrong, indeed, for Jews if apocalypse goes unaccompanied by eschatology — and not just any eschatology but one in which the future end and goal of history give our present historical situation hope and meaning. Clearly, in this view, *mere* survival in the future cannot itself count for Jews — or for Christians, for that matter — as an appropriate outcome for the histories, the *stories*, that we bear, stories whose climax is to be nothing more nor less than the redemption of the world. Thus, the sort of story told by, e.g., Jonathan Schell in *The Fate of the Earth* (New York: Knopf, 1982), where the goal of human history is sheer survival, is at odds with the kind of eschato-

For those whose only concern is human survival, no matter for what purpose, Jewish discussion of a possible unilateral recourse to nuclear arms — and the resulting potential conflagration — must sound every bit as harebrained as Christian discourse about unilateral disarmament sounds to those obsessed with national security, no matter to what end. But, however much Jews and Christians may differ with the common wisdom about the ethic(s) appropriate to a nuclear age, and, indeed, however much each community's wisdom may diverge from the other's on the subject, nevertheless, upon one thing both traditions do agree: the life of the world is not solely in the hands of the world, but in the hands, as well, of the world's Creator who is also the world's Redeemer, the one who, in the beginning, gave it life and who, in the end, will keep it alive — if the world will but keep faith with Him. No doubt, to many who fill the world's corridors of power, such views must sound foolhardy and, thus, worse — irrelevant.<sup>24</sup> But for those who would speak as Jews or Christians, there is something far worse than being irrelevant to the powers-that-be: being untrue to the Power-that-is.

logical narratives told by Jews and Christians, narratives which, as Hauerwas has put it, radically disagree with Schell's notion that "we have no end except to be unending" (Hauerwas, p. 161).

Moreover, for those who would use apocalyptic imagery and terminology as somehow revelatory of the disastrous outcomes of current nuclear policy, they would be wise to remember that in both the case of the Flood *and* the Holocaust there were *survivors* for whom the world did not come to an end. Indeed, if, as some (e.g., Elie Wiesel), have claimed, one duty of the survivor is to bear witness, then, for Jews, such survivors ought to be seen as being not only witness to the horrible destructiveness that they lived through, but also to the God whose sustaining power was, in some way, responsible for their having lived through it. And, finally, perhaps we would all be wise to remember, too, that the Flood and the Holocaust, for all their horror, had outcomes accompanied by new, unexpected signs of hope — the one a rainbow bearing promise for the world, the other a state bearing promise for the Jewish people.

24. It might be objected that what I have had to say about Jewish tradition has little or no relevance for the public policy debate over nuclear weapons since: (1) particularly in its aspect of *halakhah*, the tradition is applicable only to Jews, and (2) my account, by putting the Jewish people at virtually the center of every policy-making question, is too particularistic.

As to the first objection, one could well respond that although *halakhah* — and the covenant between God and Israel that it concretizes — is, during the present day, applicable only to Jews, there is, nevertheless, inherent in rabbinic Judaism the conviction that, one day in the future, the covenant and its halakhic tradition may well be applicable to non-Jews who will have accepted them through conversion, a practice as old as rabbinic Judaism itself — a practice which flourished in the first few centuries of the classical rabbinic period, which then continued, albeit sporadically, even in the Middle Ages, and which has come to life full force again in our contemporary era. (Cf. e.g., Salo Baron, *A Social and Religious History of the Jews*, vol. 1: *To the Beginning of the Christian Era* [New York: Columbia University Press, 1952] and Jacob Katz, *Exclusiveness and Tolerance: Jewish-Gentile Relations in Medieval and Modern Times* [New York: Schocken Books, 1975].) Of course, if and when that future day itself comes to pass full force, then the objective of Judaism's mission in the world will likewise have been achieved, for, as Solomon Schechter succinctly put it, "Judaism means to convert the world . . ." (*Aspects of Rabbinic Theology* [New York: Schocken Books, 1961], p. 77; emphasis added.)

## *The Stars in their Courses*

RUTH BERMAN

The stars made rain.  
Like Barak  
They flung spears in lightning streaks  
Down from the sky.  
Mud sucked at the wheels of chariots  
Armored soldiers fled motionless as in dreams.  
Deborah, weatherwise, felt stars beating  
At her back like raindrops,  
Shoving her forces down the hill  
To dismantle the mired soldiers by the stream.  
And she could have rained teardrops  
First to think that Sisera escaped  
Into his mother's arms  
And then to think another woman  
Had the joy of killing him  
And then to think of Sisera's mother  
Weeping  
But the sun came out, and the raindrops dried.  
Deborah and Barak found each other on the field.  
Light hid the stars.  
They turned towards home.

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RUTH BERMAN *has had her poetry published in a wide variety of journals.*

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But, even before that day arrives, one could still respond that the *particular* tradition called Judaism does, in fact, have *universal* implications; indeed, it would seem particularly odd for Jews *not* to be willing to make such a claim. Hence, the particular insights of a tradition derived from the life and thought of a people which has lived in hundreds of places over hundreds of years may provide non-Jewish policymakers with new perspectives — and thus new options — that would otherwise be unnoticed or unimagined.

Last, there is today a polity, after all, for whom Jewish traditions on peace and war ought presumably to bear at least some relevance — namely, the State of Israel, a nation-state taken by many observers to possess nuclear capabilities, and which takes as one of its primary policy objectives the preservation of Jewish life.

My response to the second objection can, and will, be briefer. In answer to the charge that my account has been “too particularistic,” perhaps even “ethnocentric,” I can only say that if I have put the Jewish people at the center of the discussion, it is only because the particular people that Jews are called to be is precisely that people ultimately to be viewed as being at the center, the focal point, of human history, which is to say, God's plan for human history. Lacking or *denying* such significance, Jews may well have nothing very significant to say to others (or themselves) about nuclear issues — or any others.



# *Fading Image Of God? Theological Reflections of a Nursing Home Chaplain*

HERSHEL JONAH MATT

## I

THE CREATION OF HUMAN BEINGS IN THE divine image constitutes, as is well known, a primary affirmation of Jewish faith. It is primary in two senses: occurring as it does in the Torah's account of Creation, it is one of the very first affirmations; and, alluding as it does to the essential nature of human beings, it is one of the most basic. Volumes could be and, in fact, have been written seeking to explore the manifold implications of this fundamental doctrine. Indeed, it would be no exaggeration to say that creation-in-the-image could form the basis for an entire theology of Judaism.

Many of the implications are familiar; the potential awareness, by every normal human being, of having been created in God's image; the further awareness that all others have been so created — with each one nevertheless being unique; the ability to distinguish between good and evil, between the permitted and the forbidden; the freedom and obligation to decide between the right and wrong in any given situation, and to act on the basis of such decision; responsibility and accountability for the actions taken; the capacity, when one has chosen to do wrong, to repent and seek forgiveness and reconciliation; and the awareness of ever standing in the presence of the One in whose image we have been created and whose likeness we bear.

Less obvious, perhaps, are several other implications which have only recently become apparent to me — or at least apparent in their full force — as a result of my service as chaplain in various hospitals, nursing homes, and geriatric facilities. These implications are both striking and troubling.

## II

One implication involves the relation between the image of God and our own body.

Normally, when we think of creation-in-the-image we assume — and when questioned, insist — that this refers not to any physical characteris-

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tics but, rather, to our intellectual, rational, psychological or spiritual faculties. Surely God has no body, we say; our likeness to God, therefore, cannot possibly reside in our body. And, yet, even if we follow Maimonides, who included among his Thirteen Root-Principles of Jewish Faith the affirmation that God has no body,<sup>1</sup> it seems clear that there is strong support in the tradition for affirming a bodily dimension to the image of God in us. After all, the very scriptural passage concerning creation-in-the-image declares: "God created Adam; in God's image He created him; male and female He created them" (Genesis 1:17). Surely sexuality involves body!

The famous rabbinic tale about Hillel the Elder is also very much à propos:

When he had finished the lesson with his pupils, he accompanied them part of the way. They said to him, "Master, where are you going?" [He replied,] "To perform a *mizvah*." [They asked,] "Which *mizvah*?" [He replied,] "To bathe in the bath-house." [They asked,] "Is that a *mizvah*?" He answered them: "If someone is appointed to scrape and clean the statues of the king which are set up in theaters and circuses, and is paid to do the work . . . how much more should I, who am created in the divine image, take care of my body!" (*Leviticus Rabbah*, *B'har*, 34:3)

The Talmud similarly declares: "One should wash the face, hands and feet every day out of respect to one's Maker" (*Shabbat* 50b). For these rabbis, evidently, to envisage the human body as being or bearing the likeness of God, far from being either unthinkable or blasphemous, was entirely appropriate, perhaps even necessary.

Why necessary? Because the link between the "soul" (spirit, mind, will, psyche, conscience?) and the body is so close and intimate, and their interdependence and interweaving so complete, that without the body, the image of God could hardly be discerned or even function, could hardly exist or even be conceived of. The use of the word "soul" in common parlance is instructive; when we admiringly speak of people as "beautiful souls," their saintliness surely expresses itself in the mouths which utter their kindly words, the smiles with which they comfort and reassure, the hands and feet which perform their loving deeds. In an age that speaks so readily of "psychosomatic illness" and "holistic medicine" surely we should be able to understand what the ancients already sensed: that the image of God involves the whole person, body no less than soul.

1. As is well known, Rabad, Rabbi Abraham ben David of Posquieres, challenged Rambam on this: "There are many people greater and superior to him who adhere to such a belief" (*Hassagot* on *Mishneh Torah*, *Teshuvah* 3:7). We cannot be sure, of course, how literally even these "other authorities" took God's corporeality; in any case, Rabad himself does not state that he agrees with them. Perhaps their primary concern in affirming corporeality was to safeguard belief in YHVH as a Living God in the face of those philosophers whose God seemed too abstract, impersonal, distant, uninvolved in the affairs of the world, and unconcerned with human beings.

## III

But to what extent does the divine image endure when there is serious weakening, malfunctioning, and deterioration of the body?

A nursing home provides numerous examples of such bodily impairment. I think of the completely deaf and even the “merely” hard-of-hearing (whose hearing aids constantly get lost or broken or somehow seldom seem to work): they plead with me to speak louder, ever louder, and to repeat my words over and over. And the blind: they never can read a book or newspaper, watch TV, behold any of the beauty of God’s creation, see another human face or even their own, or communicate with their eyes. Then there are the stroke victims: they often cannot speak at all; or when they finally manage to utter something, it is unintelligibly garbled; or they must spell out, on a special machine, every single letter. I think of those who, by reason of stroke or accident, are paralyzed; they cannot stand or walk or lift or move or feed themselves or perform any bodily act unaided. And, then, too, there is that vast number of nursing home residents — some authorities put the number at sixty percent or more — who are incontinent of bowel or bladder or both, and must therefore wear diapers; aside from the resultant discomfort to themselves and annoyance to others, they often feel desperately humiliated.

If “image” involves “body,” such drastically reduced functioning of the latter would surely seem to affect the state and status of the former. Do not continuing and increasing dependence, frustration, infantilization, embarrassment, and self-disgust somehow diminish human dignity and mar the divine image?

One might argue, nevertheless, that in spite of the abovementioned psycho-physical unity of the human personality, there is a hierarchy of status within each of us, that mind and spirit are superior to body, and that through the strength of will with which we are endowed we are, in principle, able to transcend physical handicap, disability and impaired functioning. From personal experience I can testify that numerous patients actually do summon up unsuspected resources and perform remarkable feats of spiritual strength, providing awesome examples of the triumph of unimpaired mind over seriously impaired body.<sup>2</sup> (Never will I forget the nursing home resident who had soiled himself and was being cleaned and changed by a female nurse; when, for the moment, he had to be restrained from lowering his gown to cover his genitals, he raised the gown to cover his eyes!) Where mind retains its power, “image” retains its glory.

2. Did I say mind *over* body? But mind *involves* body: the bodily brain, though brain itself, is more than mere body. (How easily we fall into the dubious dichotomy of body and mind, and the dubious identity of body and brain!)

## IV

What can be said, however, when mind itself falters and regresses, and when such mental capacities as reason, logic, memory, recognition, response, imagination, anticipation — all of them surely aspects of the “image” — begin to deteriorate and function only feebly or intermittently?<sup>3</sup>

Many examples from my hospital and nursing home experience come to mind. There are the men and women who have lost all ability to read but remember that “a book is for reading” — and who, therefore, during the worship service, hold prayerbook in hand (even if upside down) and feign that they are reading; they chime in with the word just uttered by the other worshippers, or join in by chanting “la-la-la”, or simply turn pages while staring at them blankly. There is the woman who sits through the entire service, to all appearances completely “out of it” — but who suddenly, when *Sh'ma Yisrael* or *Ein Keloheinu* is sung, is drawn out of her blankness by momentary recognition of a word, a phrase, a melody that had been implanted “centuries ago” and has been retained deep in the recesses of blocked-out memory. Another woman no longer recognizes husband or children and when they visit her keeps asking them, “Who are you?” Still another woman keeps shouting, literally hundreds of times: “Nurse!, nurse!” or screams out nonsense syllables. I think of an observant man who cannot remember whether he has put on *t'fillin* that morning, but, seeing the marks of the *t'fillin* strap still visible on his arm, realizes that he must have. Deterioration of memory and mind proceeds apace.

If mind is a crucial aspect of image, when mind becomes so seriously impaired, image, it would seem, must surely be diminished. Or shall we rather say that the examples given above reflect a precious vestige of memory, the tribute paid to memory by loss of memory — and that to the extent that mind still functions at all, such functioning, however faint, constitutes striking testimony to the continued presence of “image”?

## V

But what shall we say when deterioration has progressed to the point that the mind has *entirely* ceased to function, and such bodily functions as respiration and circulation and heartbeat and ingestion and digestion and elimination are sustained entirely through artificial means; when the patient, if disconnected, would immediately die? (I think of the handsome young man in his early twenties whom I visited occasionally and whose mother visited daily, over a two-year period — while he remained in irreversible coma.) It almost seems that a human being, so completely

3. With some nursing home residents, of course, such mental deterioration never occurs; they live to advanced age with physical capacities reduced but with mind functioning perfectly.

dependent on machines, so fully interconnected, by pipes and tubes and wires, to multiple machines, has *become* a machine; that this “shell of a person,” this “vegetable of a person” — what horrible expressions! — is no longer a person; that the image of God in this person has by now become so *defaced* that it has become completely *effaced*.

Even in such a case, however, the aura of image persists. Our tradition, therefore, which requires us to show *kavod* (honor, respect, reverence) even for a corpse, would surely insist that greater *kavod* be shown to one who, however tenuously, still clings to life, to whom life still clings. Why is this so? Because however minimal the present level of functioning, this still-surviving human life can serve as a continuing, triple reminder: a reminder of this particular, formerly conscious and flourishing image of God;<sup>4</sup> a reminder that in God’s eyes the worth of a person *does not* depend — and in our eyes *should not* depend — on efficiency and utility or “quality” and normality; and a reminder of the abiding mystery of life, which extends from the very moment of its beginning (however indeterminable that exact moment is), when image is as yet only potentiality and anticipation, to the very moment of its ending (however indeterminable *that* exact moment is), when image now lies in retrospect and consummation.

## VI

But even if there is debate, because there is uncertainty, as to when the exact moment of death occurs, one thing is certain: that moment eventually and inevitably arrives. Indeed, the very notion of life involves the notion of death (except, of course, for the eternally Living God): on the objective level, once life has begun, it has already begun moving toward its end; on the subjective level, once we become aware of the reality of any other person’s death, we become aware of the possibility of our own — and, as we mature, aware also of its inevitability. (Indeed, this capacity to be aware of our own death is inherent in our very humanity: creation-in-the-image implies awareness of eventual extinction of the image!)

If this is true of life in general, it is especially true of life in a hospital or nursing home, where the awareness of death and the prospect of death — with all the ambivalences surrounding death — are intensely, almost palpably, present. I think of the reluctance of most elderly people to move into a nursing home and the reluctance of their families to arrange for their admission — and thereafter even to visit them there — knowing, as they do, that this home is to be their last home. I remember the man who, each time he learned of the death of a fellow resident, expressed his own envy: “He’s much better off.” And the numerous patients who, upon

4. Cf. the Talmudic admonishment: “Be scrupulous with [honoring] an old man who has forgotten his learning through no fault of his own, for we are told: ‘Both the [whole] tablets and the broken ones were kept in the Ark’” (*Berakhot* 8b).

hearing the traditional blessing “May you live to be a hundred and twenty!”, respond in vehement protest, “Don’t wish such a curse upon me; the sooner I die, the better!” — and who nevertheless express in various ways their fear of death. Then there is the man who said to me more than once: “I would readily commit suicide, except that I know that according to the halakhah it’s forbidden” — and who constantly feared, when his family went on vacation, that there would be no one to arrange for his funeral. Then, too, there are the numerous attempts and the varying ways of denying, masking or concealing the reality of death: through euphemism and circumlocution (such as “passed on,” “no longer here,” “gone away”); through lowering the voice to a whisper, as if death were an indecency; through avoiding all mention of any resident who had died. (I remember the wise advice of a staff member who encouraged me to make a point of referring to recently deceased residents, and to recite the *kaddish* and the memorial prayer for them — thereby reassuring the other residents that when *their* turn would come to die, they would not be forgotten nor their name go unmentioned.)

Yes, the prospect of death, the eagerness for death, the fear of death, the denial of death — and, above all, the reality of death — are all present with special intensity in nursing home and hospital. Whether readily or reluctantly, whether immediately or only gradually, the realization comes that life has ceased to be; that creation has ended in destruction; that this particular image of God has completely faded out and disappeared.

## VII

Disappeared forever? An ever-recurring, often troubling, sometimes haunting and desperate question — and one to which Judaism, in the vast breadth of its Torah tradition and the vast length of its history, has offered a variety of answers. Which can we personally accept? Which answers should a Jewish chaplain give to sick, ailing, and aging Jews — and their families — who face the prospect and then the presence of death?

That death is real, that the body has ceased to function, that it then decomposes — is obvious; and however much we are tempted to avoid, suppress, and deny this inevitable, stark, and even gruesome reality, Judaism bids us face it squarely. (“Dust you are and to dust you shall return” [Genesis 3:19]; “Know . . . where you are going: to a place of dust, maggot, and worm” [*Avot* 3:1].)

But though our body dies, is there not something about us — pleadingly we ask — that survives? Is there not some way in which the divine image in each of us lives on?



Biologically speaking, of course, we live on in our progeny, and this can be a source of comfort. That kind of survival, however, is for some of us too vague and impersonal, too “chemical”; besides, not all of us leave progeny. Whether or not we leave children behind, however, we all leave memories behind; in that sense, at least, we all live on — and this, too, can be a source of comfort. And yet our survivors’ memories of us are almost sure to fade as time goes on; in any case, their memories of us will obviously die when they themselves die. Perhaps some of us can find some comfort in knowing that the influence of our words and deeds will continue on, directly or indirectly, even if we are no longer remembered or acknowledged as their source. For most of us, however, such survival is, once again, too general and diffuse to satisfy us. Is there not some aspect of our being, less material and less perishable than our body, yet more specific and personal than vague memory or influence, whose survival we can count on?

## VIII

What about our soul, our *n’shamah*?

That our tradition includes references to a soul or spirit that survives the body cannot be denied. In the Bible itself, however, such references are few and indecisive.<sup>5</sup> The predominant view in the Bible is rather that death truly marks the end of life, including the cessation of the ability to speak, even to God.<sup>6</sup> In rabbinic and medieval literature references to the survival of the soul are, of course, much more frequent — so much so, indeed, that in popular impression and scholarly opinion alike the view that “immortality of the soul” is the authentic Jewish doctrine has become the dominant view.

But however widespread this view and however attractive this doctrine, “immortality of the soul” is inadequate and potentially misleading. If it implies that the soul, upon leaving the body, merges with, and is absorbed by, the divine All-Soul, then the identity and unique personality of this particular person who has died are thereby compromised, diminished, even dissolved. If it implies that the soul alone is *worthy* of survival, it thereby disparages the body, which, no less than the “breath of life,” went into the formation of Adam, pinnacle of God’s good creation and paradigm for all of Adam’s descendants. If it implies that no one has the power or right to terminate a human life, it constitutes a denial of God’s sovereignty. In any case, the very dichotomy between “body” and “soul” impugns the integrity of the “whole person,” which, as we have seen from

5. Even Kohelet, who in one verse refers to “the spirit that returns to God who gave it” (Ecclesiastes 12:7), in another verse merely raises the question: “Who knows whether the spirit of a human being goes upward?” (Ecclesiastes 3:21).

6. “Can the dust praise You? Can it declare Your faithfulness?” (Psalms 30:10). “The dead do not praise You, nor they who go down into silence” (Psalms 115:17).

the very outset, is crucial to the Torah's primary affirmation of creation-in-the-image.

## IX

Is there no firm ground, then, in traditional Jewish teaching, for ultimate hope beyond the grave? There is. That hope lies in a double assurance: the assurance that each one of us lives on, even after death, in the enduring, caring memory of YHVH, who lives forever; and the assurance that YHVH, keeping faith with those who sleep in the dust, can be depended upon to restore us to life, body-soul life, in the Final Day — for judgment, reward-and-punishment, mending and purification, and life eternal.<sup>7</sup>

The famous verse in the Book of Daniel concerning those who sleep in the dust is one of the rare biblical passages to refer unequivocally to this promised resurrection.<sup>8</sup> The well-known Talmudic parable of the blind and lame guardians of the garden illustrates the resurrection graphically.<sup>9</sup> The statutory Nineteen-fold Prayer (*T'fillah*, *Amidah*), recited thrice daily, affirms it emphatically (six references in one single *b'rakhah*!).<sup>10</sup> And even the daily morning *Elohai N'shamah* blessing, which deals entirely with the "soul" (actually, "breath of life"), can be seen, upon careful read-

7. For further discussion of this subject, see the author's "An Outline of Jewish Eschatology," *JUDAISM* 17:2 (Spring, 1968): 186-96.

8. "And many of those who sleep in the dust of the earth shall awake: some to everlasting life, and some to shame and everlasting contempt. And they who are wise shall shine like the brightness of the firmament; and they who turn many to righteousness, like the stars for ever and ever" (Daniel 12:2-3).

9. "R. Ishmael said that the matter resembled a king who had a garden with fine early figs. He put two keepers in it; one was blind, and one was lame, and he bade them to look well after the figs. After a time the lame man said to the blind man, 'I see some fine figs in the garden.' The blind man said, 'Bring me to them, and we will eat.' The lame man said, 'I cannot walk.' The blind man said, 'I cannot see.' Then the lame man got on the shoulders of the blind man, and they went and ate the figs. After a time the king came to the garden, and he asked, 'Where are the figs?' The blind man said, 'Can I see?' The lame man said, 'Can I walk?' But the king was clever; he set the lame man on the shoulders of the blind man, and made them walk a little, and he said, 'Even so have you managed, and you have eaten the figs.' So, in the world to come, God says to the soul, 'Wherefore have you sinned before me?' The soul replies, 'I have not sinned; the body has sinned; since I have come out of the body, I have flown around like an innocent bird in the air; what is my sin?' Then God says to the body, 'Why have you sinned before me?' The body replies, 'I have not sinned; it is the soul which has sinned; from the hour that the soul went out of me, I lie prone like a stone cast upon the ground. How can I have sinned against thee?' What does God do? He brings the soul and casts it into the body, and judges the two together." (Leviticus *Rabbah*, *Vayikra* 4:5)

10. "You are mighty forever, Lord; You revive the dead, are abundant in saving. You sustain the living with lovingkindness and revive the dead with great compassion. You support the falling, heal the sick, release the bound, and keep faith with those who sleep in the dust. Who is like You, master of might? Who is comparable to You, O King, who takes life and restores life, and causes salvation to sprout. You are dependable for reviving the dead. Blessed are You, O Lord, who revives the dead."

ing, to be affirming not the continuation of the soul but rather its *restoration* to the body.<sup>11</sup>

In this life-and-eon we are unable, of course, to understand the when and how of such an act of resurrection or the nature of such a resurrected life — or even how literally or figuratively the whole notion is to be taken. But at moments of deepest faith and trust we rest secure in the divine assurance that the One who brought us into life by creating us in the divine image, who sustains us in life and eventually takes our life away, is not defeated by death but overcomes death in the Final Day. Then will the full measure of YHWH's power and justice and love be made manifest; each ailing, fading, disappearing image of God will then be healed, renewed, restored.

11. "My God, the soul which You have placed within me is pure. You created it, You formed it, You breathed it into me, You guard it within me; in the future You are to take it from me and are to restore it to me in the time-to-come. As long as the soul is within me, I give thanks before You, my God and God of my ancestors, master of all creatures, sovereign of all souls. Blessed are You, Lord, who restores souls to dead corpses."

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# *The “Ze’edah U-Re’edah”: Torah for the Folk*

JOSEPH P. SCHULTZ

ONE OF THE GREAT LEGACIES LEFT TO US BY the Yiddish speaking Ashkenazic Jews of Central and Eastern Europe is the *Ze’edah U-Re’edah*, composed by Jacob ben Isaac Ashkenazi of Yanow some time toward the end of the sixteenth or the beginning of the seventeenth century. This work, written in Yiddish and arranged according to the synagogue cycle of Torah readings, the *haftarot* (prophetic readings) and the readings of the five *megillot* (Esther, Song of Songs, Ruth, Lamentations and Ecclesiastes), was received with great enthusiasm by the Jewish masses, particularly women. The continuing success of the work is evidenced by the more than 210 editions that have appeared to date. The *Ze’edah U-Re’edah* quickly became an integral part of Sabbath observances in the pious Jewish home and, in the course of its three hundred year old existence, it became a very important vehicle of Torah education for countless generations of Jewish men, women and children.

We know very little about the author of this most popular work in Yiddish literature. We are also uncertain as to his birthplace. Though there is agreement among scholars that he was born in the town of Yanow in Poland, the problem is that there are several towns by that name in different districts. The Yanow near Cracow is thought by some scholars to be the most likely site of Jacob ben Isaac Ashkenazi’s birthplace since his first book in Hebrew was published in Cracow. It is entitled *Sefer Shoreshei Yaakov* and is an index of Jewish law listing the sources of the law in alphabetical order as they appear in the codes of the *Shulhan Arukh* and the *Yoreh Deah* and in the rabbinic responsa.

More likely is the view of other scholars who point to the town of Yanow in the district of Lublin as being the birthplace of the author of the *Ze’edah U-Re’edah*. They base their view on the following facts: the first editions of the *Ze’edah U-Re’edah* were published in Lublin and two other books by the same author, *Sefer Meliz Yosher* and *Sefer Hamagid* also first appeared in Lublin and it was in that city that Jacob ben Isaac Ashkenazi died in 1623.<sup>1</sup>

1. Max Eric, *Die Geschichte fun der Yiddisher Literatur* (Warsaw: Kultur League, 1928), pp. 228-29; Haim Liberman, “Vegen dem Sefer Ha-Magid un Sein Mehaber,” *Yiddishe Shprakh* 26 (1966): 34; Chone Shmeruk, “Kavim li-Demutah shel Safrut Yiddish b’Polin u-be-Litah ad Gezerat Ta’h ve-Tat,” *Tarbiz* 46 (1973): 283.

*The Structure and Style of the Work*

The structure and style of the *ZĖ'enah U-Re'enah* can best be understood in the context of the Jewish approach to the interpretation of Scripture and the desire to adjust this method to the needs of the Yiddish speaking masses, both men and women, who lacked the formal education to study the Bible and its commentaries. In comparing biblical narrative with the Greek epic, Erich Auerbach notes that the Greek epic resembles a wall mural in which every detail is blown up and visible. In contrast, the biblical narrative resembles a picture in which only the protagonists stand in the light, while everyone else is cloaked in shadows. The bare skeleton of the biblical story, in which description and detail are kept to a minimum, not only creates an atmosphere of religious and psychological depth but also forces the reader to provide the description and detail from his own imagination and experience. Thus, to use Rashi's well known phrase, every verse in Scripture says "Interpret me!" In the Bible itself we find the base of the bridge of interpretation that spans the centuries branching out in different ways among Jews, Christians and Muslims. Across this bridge the biblical narrative, in its various versions, entered the life of the masses in every generation.<sup>2</sup> In the seventh century, as in the seventeenth, it was possible for ordinary men and women to identify with the personalities of Scripture despite the vast differences of time and place. Among Jews, the bridge of exegesis was strengthened by the belief that every interpretation of the Bible is but a later unfolding of that which already existed *in potentia* in the biblical revelation itself. Even an innovative teaching introduced by a scholar of a later period was understood as being derived from that which was implicit in the words of Scripture but was not made explicit until much later.<sup>3</sup>

There is a critical difference between the Jewish and Christian traditions of exegesis. Jewish exegesis is directly and intimately tied to the Hebrew text of the Bible. The *midrash*, the translation or the commentary deepen and expand the meaning of Scripture but, common to all of them, is the principle that, ultimately, the plain meaning of the text is fundamental. It is true that frequently the *midrash* or the commentary will contradict the plain meaning of the text, but this poetic license is the result of an organic view of the Bible that is reflected in the rabbinic statement that the Torah has seventy faces.<sup>4</sup> Christian exegesis is tied only indirectly to the Hebrew text of Scripture since, for the most part, it draws on the Greek and Latin translations of the Septuagint and the Vulgate. In addition, Christian exegesis is prefigurative, in that the purpose of the com-

2. Erich Auerbach, *Mimesis* (Princeton, N.J.: Princeton University Press, 1953), pp. 15-16.

3. Jer. *Berachot* 2:8.

4. Isaak Heinemann, *Darkhei ha-Aggadah* (Jerusalem: The Magnes Press, 1954), p. 8; Max Kadushin, *The Rabbinic Mind* (New York: Bloch Publishing Co., 1972), pp. 24-26, 298-303.

mentary is to prove a theological point, that the Hebrew Bible paves the way for the New Testament.<sup>5</sup>

For scholarly Jews in Central and Eastern Europe, the bridge of Bible interpretation that extended from the Torah to the commentators and preachers of the sixteenth and seventeenth centuries was a thoroughfare bustling with life. But for large segments of the Jewish masses of those days, particularly women who had little if any formal Jewish education, the bridge of Torah interpretation was practically deserted. The preachers of that generation complained that ordinary people did not have the background to understand even the simplest sermons delivered in the synagogue.

The *Ze'enh U-Re'enh* was intended to fill this lacuna. In this work Jacob ben Isaac Ashkenazi drew on two Yiddish literary traditions that were already extant in Eastern and Central Europe. One was the tradition of the *Teitch Humash*, a translation of the Torah into Yiddish containing the *Targum* woven together with short selections from the classical Bible commentaries. The *Teitch Humash* originated in the *heder* (the elementary school) where the teacher instructed young children not only to translate the biblical text into Yiddish but also to extend the translation to include short sections of Rashi's commentary on the Bible as well as other commentaries. To this day, one can still find schools in which young children translate and explain Genesis 37:24: "The pit was empty; there was no water in it" with Rashi's commentary "there was no water in it but there were snakes and scorpions in it." To trace the various stages in the development of the *teitch* tradition would take us too far afield. Suffice it to say that when this material was committed to writing, the tendency to extend and broaden the translation by adding commentaries and *midrashim* increased.<sup>6</sup> Ultimately, however, the dry pedagogical approach of the *Teitch Humash* and its slavish faithfulness to the literal translation of the biblical verse at the expense of color, variety, story, and drama could not capture a mass readership, particularly women who did not study in the *heder*.

A far less restrictive approach to the use of *midrash* and *aggadot* was to be found in the genre of biblical poetry and drama in Yiddish. In a paraphrase of the Book of Esther entitled *Die Lange Megillah*, written by Leib ben Mosheh Melir and published in Cracow in 1589, the text of the biblical narrative is almost completely obscured by a melange of *midrashim* and *aggadot*, most of them having little or no connection with the biblical story itself. *Die Lange Megillah*, combining the art of the preacher with elements of folklore and proverbs of the time, speaks directly to the heart of the reader in an intimate, conversational tone.<sup>7</sup> *Der Shmuel Buch*, written during the last third of the fifteenth century, and *Der Melakhim Buch*, com-

5. Chone Shmeruk, *Safrut Yiddish: Perakim le-Toledoteha* (Tel Aviv: The Porter Institute of Poetics and Semiotics, 1978), pp. 110-111.

6. *Ibid.*, pp. 111-114.

7. Eric, *Geschichte*, p. 227; Israel Zinberg, *Toledot Safrut Yisrael* (Tel Aviv: Joseph Shvavrak Publishers, 1958), vol. 4, pp. 69-72.



posed at the beginning of the sixteenth century, are other examples of this genre that, in language and style, are free from dependence on the biblical text. In contrast to the *Teitch Humash*, these epic poems and others like them were never considered sacred texts and thus were not frozen, since the epic style demands variations and changes.<sup>8</sup>

In the *Ze'enah U-Re'enah* Jacob ben Isaac Ashkenazi combined the pedagogic objective of the *teitch* tradition with the freeflowing style of *Die Lange Megillah* and other translations and paraphrases of portions of Scripture. That the primary objective of the *Ze'enah U-Re'enah* was pedagogical we learn from the title page of the oldest edition, which states:

The advantage of this work is that . . . it is intended for men and women to find rest for their souls in understanding the words of the living God in simple language.<sup>9</sup>

But the artistry of this simple language must be appreciated. In this work there is no word-by-word translation or commentary that is bound to the biblical text as in the *Teitch Humash*, but the biblical source, the medieval commentaries, *midrashim*, *aggadot*, proverbs, elements of folklore and custom are all woven together into a harmonious whole. The *Ze'enah U-Re'enah* is suffused with warmth and intimacy, and the voices of the popular preachers of the time are echoed in its pages. Its style represents a blending of classical *midrashim* with medieval Jewish Bible commentators. As in the classical *midrashim* there are *petihot* (proems) drawn from the thirteenth century commentary of Bahya ben Asher of Saragosa. As in the medieval Jewish Bible Commentaries, the *Ze'enah U-Re'enah* abounds with the dialectic of question and answer.

The originality of the work lies mainly in the author's ability to select from a mass of variegated material those aspects that would attract unschooled readers. This material was reworked and given a unique formulation, since the goal was not only to educate but also to entertain. Among the colorful strands that the author wove into his tapestry are romantic and even erotic elements that were particularly attractive to women. However, since these elements were derived from sacred texts, from the Talmud, the *midrashim* and the Jewish ethical writings of the Middle Ages, and were presented in an ethical religious framework, they did not offend the sensitivities of pious readers.

Thus, for example, in discussing the creation of woman the author paraphrases the *midrash*:

They asked Rabbi Joshua; "Why is it that, when the newborn child emerges from the mother's womb, if it is a male the face is downward toward the ground, while if it is a female her face is upward toward the mother." He answered them: "The male looks to the substance from which he was created. Since Adam the first man was created from the ground, the male looks

8. Shmeruk, *Safrut Yiddish*, pp. 122, 127.

9. *Ze'enah U-Re'enah* (Basle, 1622), title page.

to the ground when he emerges from the womb. But Eve was created from Adam, therefore the female's face is turned upward toward the mother."<sup>10</sup>

The author provides an additional answer to the question. Some sages say that the male emerges with his face downward because in the sexual act the face of the man is downward, and the female looks upward for in the sexual act her face is upward. The second view is a condensation from the *Sefer Hasidim* where the full passage reads as follows:

On the night of [the woman's] immersion [for purification after her period] it is especially proper for him to be on top and she on the bottom because the man derives pleasure only when she is below him. In this way she can become pregnant for she is close to her ovulation. And on the night of immersion the man desires this. Therefore it is good that she should derive pleasure from him.<sup>11</sup>

Recent scholarship has shown the impact of the medieval romantic-erotic tradition on popular Jewish ethical tracts such as the *Sefer Hasidim* and the *Iggeret ha-Kodesh*<sup>12</sup> and it would not be wide of the mark to suggest that this influence also penetrated the *Ze'enh U-Re'enh* either directly or indirectly.

In addition, in a number of places, such as the detailed discussion of the sins committed by the generation of the flood, the *Ze'enh U-Re'enh* creates in the reader the novelistic tension between curiosity regarding romantic-erotic elements and the aversion to sexual sins and the thoughts that are connected with them.

In his use of medieval Bible commentaries and *midrashim*, Jacob ben Isaac Ashkenazi was acutely sensitive to the feelings of his women readers. Commenting on Genesis 2:21, "So the Lord God cast a deep sleep upon the man," the *Ze'enh U-Re'enh* cites the commentary *Toledot Yitzhak* (by Isaac ben Joseph Caro of Toledo who was active during the Spanish-Jewish expulsion of 1492):

From this we derive an ethical teaching that a man should not become angry with his wife even if at times he sees in her that which is contrary to his spirit but he should make himself not seeing, as if he were asleep.

Similarly, in paraphrasing the *midrash*<sup>13</sup> on Genesis 2:20, "... but for Adam no fitting helper was found," the *Ze'enh U-Re'enh* comments:

If a man is worthy, the Holy One Blessed be He gives him a woman who becomes his beloved and a help to him. But if a man is not righteous the Holy One Blessed be He prepares for him a woman who is a woe to his soul, who causes him to lose this world and the world to come, for she is evil and

10. *Ze'enh U-Re'enh* to Genesis 2:21. The *midrashic* paraphrase is derived from *Gen. R.* 17:13. My translation is based on the Hurwitz-Schultz critical edition of *Ze'enh U-Re'enh Sefer Bereshit* (Philadelphia: Dropsie College, 1985), pp. 25-26.

11. Judah ben Samuel he-Hasid, *Sefer Hasidim*, ed. Wistinetzki (1891), para. 1185.

12. Monford Harris, "Marriage as Metaphysics: A Study of the *Iggeret ha-Kodesh*," *Hebrew Union College Annual* 33 (1962), pp. 197-226; "Reflections on the Sexual Revolution," *Conservative Judaism* 20 (Spring, 1966): 1-17.

13. *Genesis R.* 17:12.

more bitter than death. In the same way there is a woman who can bring him to the world to come. As in the incident concerning a pious man who had a very pious wife. They were childless so he divorced her. She remarried a very evil man and turned him into a great *zaddik* (righteous man). He remarried a very evil woman, evil in all her deeds and she turned him into a *rasha* (an evil man).

It is instructive to compare this comment of the *Ze'edah U-Re'edah* with the *midrash* itself.

It happened that a pious man was married to a pious woman and they were unable to beget children. They said: "We are not helping the holy One Blessed be He at all." They immediately divorced one another. The man went and remarried a wicked woman who made him into a *rasha*. The woman went and remarried a wicked man and made him into a *zaddik*. Thus the woman determines everything.

The *Ze'edah U-Re'edah* makes the man the determining partner. The woman is passive, an instrument of God. If the man is worthy he gets a woman who becomes his beloved and helps him. Here the romantic element surfaces again. If he is unworthy he gets a woman whose evil deeds cause him bitterness in this world and the loss of the world to come. In the *midrash* the pious man and the pious woman agree to divorce one another on discovering their childlessness. According to the *Ze'edah U-Re'edah*, it is the man who divorces the wife because of their childlessness. The concluding line of the *midrash*, that the woman determines everything, is omitted from the *Ze'edah U-Re'edah*. In this subtle reworking we hear a faint echo of protest against women's powerlessness in the patriarchal, authoritarian Jewish family structure in Eastern and Central Europe during the sixteenth and seventeenth centuries.<sup>14</sup>

#### *The Sources of the Ze'edah U-Re'edah*

The sources of the *Ze'edah U-Re'edah* include the entire range of talmudic-midrashic literature, the Babylonian Talmud, the Palestinian Talmud, the smaller tractates, the *Tosefta*, the *halakhic midrashim* and the earlier and later *aggadic midrashim*. Similarly, the entire range of medieval *parshanut*, Ashkenazic and Sephardic, served as source material for the author. The two commentators who seem to have served as a model for the work are Bahya ben Asher of Saragossa (*Rabbenu Bahya*) and Isaac ben Joseph Caro of Toledo (*Toledot Yitzhak*). Jacob ben Isaac Ashkenazi also drew heavily on the Jewish ethical literature of the Middle Ages: the *Sefer Hasidim*, *Sefer ha-Mevakesh* by Shem Tov Ibn Falkera, the writings of Solomon Ibn Gabirol, Maimonides, Saadiah, the Kimchis, Rabbenu Hananel, *Sefer Menorat ha-Maor* by Isaac Aboab, and many other works. There is

14. Professor Nathan Susskind has suggested to me another divergence between the *midrash* as cited in the source and in the *Ze'edah U-Re'edah*. The author disapproved of active women. He wanted women "to keep their place" and thus reflected the attitude of his time and place rather than protesting against it.

also kabbalistic material in the *Ze'enuh U-Re'enuh*, from the *Zohar*, from Moses Cordovero's *Palm Tree of Deborah* and from Bahya ben Asher's commentary and other commentaries. However, the kabbalistic elements that are present are not of a highly complex or theoretical nature.

### *Historical Survey of the Editions*

Jacob ben Isaac Ashkenazi was privileged to witness the phenomenal success of his efforts. From various sources we can conclude that at least five editions of the *Ze'enuh U-Re'enuh* appeared during his lifetime.<sup>15</sup> The work was immediately popular with readers all over Europe, in the west as in the east, and West European Jewish publishers eagerly supplied the growing market in Eastern Europe. Interestingly, there is a distinctive difference between the Yiddish style of the West European editions and those published in Eastern Europe. The West European editions that dominated the market until the rise of Eastern European Jewish publishing houses are characterized by a written Yiddish that is not identical with the spoken language of the time. Since the West European Jewish publishers wanted to supply books to readers in both Western and Eastern Europe, they used a style of Yiddish universally accepted as the written language that was independent of locale and which gave access to every reader regardless of where he or she lived. The easiest way to accomplish this was to use the oldest forms of Yiddish still retained in writing even though the publishers knew very well that the spoken Yiddish of the time was distinctly different. But with the rise of the East European Jewish publishing houses which became the main distributors of the *Ze'enuh U-Re'enuh* until 1900 (and from 1836 to 1900 the sole publishers of the work), the situation changed. The inroads of assimilation and the *Haskalah* reduced the number of readers and potential readers in Western and Central Europe while, at the same time, the number of readers or potential readers in Eastern Europe rose or, in some places, remained stable. Under these conditions Jewish publishing houses became interested in only the regional East European market and sought to increase enthusiasm for the book by bringing its language into conformity with the spoken Yiddish of the particular region where the book was published or slated for distribution.<sup>16</sup>

In the nineteenth century, the *Ze'enuh U-Re'enuh* became a battleground in the struggle between Hasidism and the *Haskalah*. Despite their disparaging attitude toward the Yiddish language, whose influence they combatted everywhere, the *maskilim* recognized that the popularity of the *Ze'enuh U-Re'enuh* made it an ideal educational instrument for spreading

15. Chone Shmeruk, "Reshimah Bibliografit shel Defusei Polin b'Yiddish ad Gezerat Ta"n ve-Ta"t," *Kiryat Sefer* 52 (1976-77): 413-415.

16. Chone Shmeruk, "Die Mizrah-Eropaishe Nushaot fun der *Ze'enuh U-Re'enuh* (1786-1850)," *For Max Weinreich on His Seventieth Birthday* (The Hague, 1964), pp. 195-211.

enlightenment ideas in the very circles that opposed them so absolutely. The structure and composition of the *Ze'edah U-Re'edah*, its anthological approach to Scripture and to the post-Biblical literature in which only certain verses or commentaries or *midrashim* were selected and in which original explanations were included, opened the door for a different selection from traditional sources, based on the ideas of the enlightenment. Folkloristic explanations gave way to rationalistic ones in these *Haskalah* editions.

One such edition with a *Haskalah tendenz* was composed by Herz Homburg, a disciple of Moses Mendelsohn and a teacher of his children, in Vienna between the years 1808 and 1817. His *Ze'edah U-Re'edah* is characterized by the following: the elimination of elements from the traditional work that are distant from the plain meaning of the biblical verse, the tendency to substitute Mendelsohn's commentary on the Bible ("the *beur*") or modern commentaries based on the *beur* for the traditional medieval Jewish commentaries, a very guarded and careful approach to the use of *midrash*, the removal of sections expressing a negative attitude toward Gentiles or that stress the contrast between Israel and the nations, an explanation of phenomena on the basis of observation of bodily processes and the activities of nature, historical explanations, the emphasis on rationalistic ideas and views in place of ideas and thoughts appearing old-fashioned from the vantage point of Homburg and his time.<sup>17</sup>

The *Haskalah* in Eastern Europe also used the *Ze'edah U-Re'edah* as a vehicle for the spreading of its ideas. Editions of the *Ze'edah U-Re'edah* emanating from *Haskalah* circles began to appear in Vilna toward the end of the second decade of the nineteenth century. Much of what was left out in Homburg's edition was also removed from these, while in some of the *Haskalah* editions, instead of eliminating phrases or sections the editors added notes. Thus, for example, on Genesis 2:3, "And God blessed the seventh day and declared it holy," the traditional *Ze'edah U-Re'edah* includes the following explanation: "The Holy One Blessed be He blessed the Sabbath so that man should have an additional soul (*neshamah yeterah*) on this day that he does not have on the other days of the week." In the Vilna edition of 1842 an editor who was a *maskil* added the following note to the word *neshamah*: "This is what is called inspiration."<sup>18</sup>

The counterattack of Hasidism was not slow in coming. All that was removed from the *Haskalah* editions of the *Ze'edah U-Re'edah* was restored

17. Havah Turniansky, "Nusah Maskili shel Ze'edah U-Re'edah: Ketav-Yad Bilti Yadua shel Herz Homburg," *ha-Sifrut*, 2:836, 838.

Professor Julius Carlebach of the University of Sussex sent me an outline of a sociological study of the *Ze'edah U-Re'edah* in which he seeks to demonstrate that the book was an important factor in enabling Ashkenazic Jews to make the transition from a religious education to a secular education and from an evaluation of the environment from the perspective of the Middle Ages to an evaluation of the environment from the vantage point of modernity.

18. *Ze'edah U-Re'edah* to Genesis 2:3 (Vilna, 1842).

by the editions published by Hasidic circles, and all of the supplementary notes that had been added by editors who were followers of the enlightenment were deleted. In the 1845 edition that appeared in Josefov, not far from Lublin, and in the 1848 edition published in Zhitomir, there is evidence of a careful screening of the text to make sure that no foreign ideas have been smuggled into the traditional work. In addition, the Yiddish of these editions reflects the usage current in Hasidic circles.<sup>19</sup>

The popularity of the *Ze'enah U-Re'enah* is also seen in the numerous translations and adaptations of the book into German, Hungarian, French, Italian, English and Hebrew. The earliest translation was a Latin rendering of the first chapter of Genesis by Johann Zauber that appeared in 1660 in Helmstadt. The rest of the work, translated in the first half of the eighteenth century, was published by J. C. Wolf in his *Bibliotheca Hebraea*.<sup>20</sup> Two translations, one of Genesis and one of Exodus, appeared in English. The first, published in 1885 by an apostate Jew, Isaac Hershon, contains an anti-Jewish polemic in the introduction, but not in the text which more or less follows the Vilna edition of 1877, though the translation is artificial and strained. The book of Exodus by Norman C. Gore, published in 1965, is dedicated to the memory of the millions who perished in the Holocaust.<sup>21</sup> The best known German translation is that of Genesis by Bertha Pappenheim, published in Frankfurt am Main in 1930.<sup>22</sup> Though further volumes were promised, the advent of the Nazi era undoubtedly aborted the project.<sup>23</sup>

### *Folkloristic and Historical Elements*

The *Ze'enah U-Re'enah* is a veritable treasure house of Jewish folklore and a primary source for Jewish history. Folkloristic and historical references are contained in many of the commentaries that are cited by the author, as well as in his own explanations.

Commenting on Genesis 3:6, "When the women saw that the tree was good for eating" the *Ze'enah U-Re'enah* quotes the *midrash* which states that

19. Shmeruk, "Die Mizrah Eropaische Nushaot fun der *Ze'enah U-Re'enah* (1786-1850)," pp. 209-210.

20. J. C. Wolf, *Bibliotheca Hebraea* (Hamburg und Leipzig, 1715-1733), vol. III, pp. 479-505.

21. *Tze'enah Ure'enah*, "Go ye and see," A Rabbinical Commentary on Genesis trans. from the Judaeo-Polish with notes and indices by Paul Isaac Hershon, with introductory preface by the Ven. Archdeacon F. W. Farrar (London, 1885); *Tze'enah U-Re'enah*, A Jewish Commentary on the Book of Exodus, trans. Norman C. Gore (New York: Vantage Press, 1965).

22. *Zeenah u Reenah (Frauenbibel)*, "Übersetzung und Auslegung des Pentateuch von Jacob ben Isaac aus Janow nach dem Jüdisch-Deutschen bearbeitet von Bertha Pappenheim (Frankfurt am Main: J. Kauffman Verlag, 1930).

23. For further details on the translations and adaptations, see Havah Turniansky (Ponsky), "Übersetzungen und Bearbeitungen fun der *Ze'enah U-Re'enah*," *Sefer Dov Sadan* (Tel Aviv: ha Kibbutz ha-Meuḥad Publishing House, 1977), pp. 165-190 and the introduction to the Hurwitz-Schultz critical edition of *Ze'enah U-Re'enah Sefer Bereshit*.



the tree from which Eve ate was an *etrog* (citron) tree.<sup>24</sup> Then comes the following explanation:

Thus there is the custom for pregnant women to take the *etrog* on *Hoshanah Rabbah* and bite off the stem with their teeth [and give money to *zedakah* (charity)]. They give to *zedakah* because *zedakah* saves one from death, so that the Holy One blessed be He will save her and her unborn child from death. For had Eve not eaten from the fruit a woman would give birth easily, without pain, like a hen laying an egg. The woman also offers the following prayer: "Sovereign of the World, the first Eve ate from the fruit, and the great sorrow, death at giving birth, was decreed for us women as a whole. Had I been there I would not have derived pleasure from it (the fruit) just as now I had no desire to make the *etrog* ritually unfit by eating from it (at any time) during the seven days (of *Sukkot*) that have been set aside for this commandment. And now, on *Hoshanah Rabbah*, that the commandment has been fulfilled, I am not tempted to eat it. And the little pleasure that I have now from the stem, is similar to the little pleasure that I would have had from the fruit then."<sup>25</sup>

Commenting on God's reproof of Sarah for laughing on being told that she would give birth to a son (Gen. 18:13), the *Ze'edah U-re'edah* cites the commentary of the *Hizkuni* (Hezekiah ben Manoah, mid-13th century France) to the effect that God intended indirectly to rebuke Abraham as well for not believing, as the proverb says: "The wise woman reproves her daughter so that the daughter-in-law standing near by will get the point and also mend her ways."<sup>26</sup>

Esau's sale of his birthright to Jacob for bread and some lentil stew (Gen. 25:34) evokes this explanation: "This was according to the custom that in making a purchase both parties and the middle man drink a *wein-koif* (a glass of wine to close the deal)."<sup>27</sup> The rabbis of the Middle Ages dealt with the *halakhic* question as to whether the "*weinkoif*" was, according to the law of the land, a legal symbol of the conclusion of the transaction or only a means of publicizing the transaction that had been legally concluded earlier.<sup>28</sup>

24. Gen. R. 15:8.

25. *Ze'edah U-Re'edah* to Gen. 3:6. Cf. Avraham Eliezer Hirshovitz, *Sefer Ozar kol Minhagei Yeshurun*, 4th ed. (Lvov, 1929), p. 113 and Abraham Tendlau, *Sprichwörter und Redensarten: deutsch jüdischer Vorzeit* (Frankfurt am Main: Verlag von J. Kauffman, 1860), par. 568.

Dr. Robert Gordis indicated to me that he had heard that the biting of the stem of the *etrog* was intended to ensure male progeny, an example of homeopathic magic. I have checked the Jewish folkloristic material available to me and find no mention of this. However, Aaron L. Gartenhaus, *Sefer Ta'me ha-Minhagim u-Mekore ha-Dinim* (Brooklyn, N.Y.: "Torah Or" Publishing Co., [1944]), I, p. 95, par. 816 explains that the custom of removing the band (*keshet*) binding the *lulav* on *Hoshanah Rabbah* is to indicate the removal of any ligature obstructing the womb, also an example of homeopathic magic. As often happens in Jewish folklore, the traditions concerning the *lulav* and the *etrog* have here been fused.

26. *Ze'edah U-Re'edah* to Gen. 18:13. On the Yiddish proverb, see Ignaz Bernstein and B. W. Zegel, *Jüdische Sprichwörter und Redensarten* (Warsaw: Yosef Fischer 1908), par. 1654 and Israel Hurwitz, *Mivhar Pitgamim* (New York, 1960), par. 126.

27. *Ze'edah U-Re'edah* to Gen. 27:40.

28. M. Guedemann, *Sefer ha-Torah ve-ha-Hayyim*, ed. by A. S. Friedberg (Warsaw: Goldberg

Jacob's preparations for meeting his brother Esau are taken by the *Ze'edah U-Re'edah* and the commentaries that it cites as a lesson for Jewish existence in exile:

This *parshah* teaches us how Israel must proceed in the exile with Esau. Just as Jacob prepared himself for three things: for war, for prayer, and for gift-giving, so must we do in the exile. We must give the nations gifts in order to pacify them, to pray to the Holy One blessed be He, but it is forbidden for us to go to war with them.<sup>29</sup>

Similarly, in another comment on Gen. 32:9, "the other camp may yet escape," we read:

At the time when there arises, God forbid, an evil king who harms Israel by expelling them or destroying their life or their valuables, the Holy One blessed be He will raise, in opposition to him, a righteous king, who renders good to Israel so that Israel may exist in the world.

In these succinct passages the author holds up a mirror of Jewish history in which his readers can see themselves as well as previous generations.

What kind of gift did Jacob give Esau? Since Esau was a hunter Jacob gave him a falcon, "the kind carried by noblemen on their hands to hunt animals," says the *Ze'edah U-Re'edah*, citing Bahya ben Asher and the *Toldot Yitzhak*.<sup>30</sup>

"It is well known that life is dependent on the astrological arrangement of the planets in the heavens. The one whose planetary sign is good has a long life and the one whose planetary sign is bad has a short life."<sup>31</sup> In these words the *Ze'edah U-Re'edah*, basing itself on Bahya ben Asher and on an old Jewish occult tradition going back to the Talmud, divulges its belief in astrology. It is this belief that lies at the root of the following explanation of a well known Jewish custom. Again citing Bahya ben Asher, the *Ze'edah U-Re'edah* comments:

On the third day after receiving a wound one is weak, because every third day is weak with regard to all created things. Even the third day of the week, Tuesday, causes excessive weakness to saturate people more than the other days because its planetary sign is Scorpion, that is something dirty, and its angel is Samuel the evil one, and its star (i.e., planet) is Mars, that indicates blood. For this reason our sages did not say that people should fast on Sunday, which is the third day of the creation of man, because Adam was created on Friday. Therefore everyone is weaker on Sunday than on other days of the week (excluding Tuesday no doubt) and for this reason we smell

Brothers Publishers, 1897), vol. III, p. 132. On the use of the term see Mordecai Kossover, "Hanshlak, Tekiat Kaf un Zeere Krovim," *Yiddishe Shprach* 19 (1969/1970): 3-10.

29. *Ze'edah U-Re'edah* to Gen. 32:8-9. On the quietism enjoined by the rabbinate on world Jewry after the Bar Kokhba rebellion see Salo W. Baron, *A Social and Religious History of the Jews*, 2nd ed. (New York: Columbia University Press, 1952), vol. 2, pp. 121-122 and my *Judaism and the Gentile Faiths* (East Brunswick, New Jersey: Fairleigh Dickinson University Press, 1981), pp. 223-225 and the sources cited there.

30. *Ze'edah U-Re'edah* to Gen. 32:14; Guedemann, *Sefer ha-Torah ve-ha-Hayyim*, vol. I, p. 120.

31. *Ze'edah U-Re'edah* to Genesis 47:23, beginning of *Parshat Vayehi*. This view is followed by the statement that *zedakah* is above dependence on planetary signs.

the spices (in the *havdalah* ritual at the conclusion of the Sabbath) the night before Sunday, so that we should have strength and so as to strengthen our souls with the fragrant scent.<sup>32</sup>

### *Impact on Modern Yiddish and Hebrew Literature*

The widespread popularity of the *Ze'enh U-Re'enh* among the Jewish masses provided a grass roots cultural foundation upon which was later erected the edifice of modern Yiddish and Hebrew literature. To trace this development requires a separate monograph, but for the purpose of this study it is sufficient to note that the *Ze'enh U-Re'enh* helped to create an audience for later Yiddish and Hebrew writers by developing in its readers a taste for the elements that were later to appear in the short story and the novel. On the other hand, the *Ze'enh U-Re'enh*, with its deep roots in Jewish folk experience and Jewish tradition, provided the background, the themes and often the language for modern Yiddish and Hebrew writers. The following are a few examples of this influence.

In Mendele's description of the observance of *Hoshanah Rabbah* in his classic sotry, "Parents and Children," we find this line: "Sarah gave the sexton of the synagogue the privilege of performing the *mizvah* of carrying this *etrog* to her friend, a pregnant woman, in order that she should bite off the stem with her teeth."<sup>33</sup> There is a clear reference here to the custom cited by the *Ze'enh U-Re'enh* and discussed above.

The *Ze'enh U-Re'enh*, citing the *Midrash*,<sup>34</sup> describes Abraham's inner conflict with regard to telling Sarah about the *akedah* (the binding of Isaac):

Abraham's heart was torn: "If I do not tell Sarah anything about the *akedah* and take her son away in stealth, when she does not find him she will kill herself. And if I tell her that I want to slaughter Isaac for a sacrifice, women are not strong minded, and she can oppose it."<sup>35</sup>

In a similar vein, Mendele describes the inner conflict of his protagonist, Binyamin, who is contemplating leaving home for an extensive journey:

Aside from this Binyamin did not know how to tear himself away from home. To talk over the journey with his wife and to reveal to her explicitly the whole thing? God forbid! There would be a rumpus, a fuss, she would

32 *Ze'enh U-Re'enh* to Gen. 34:25. On astrology, see Joel C. Dobin, *To Rule Both Day and Night* (New York: Inner Traditions International, 1977) and Joshua Trachtenberg, *Jewish Magic and Superstition* (New York: Atheneum, 1974), pp. 249-259. On the smelling of spices during *havdalah* see also, Meyer Waxman, "ha-Shabbat ve-ha-Neshamah ha-Yetera," *Sefer ha-Shanah li-Yehudei Amerika* (New York: ha-Histadrut ha-Ivrit ba-Amerikca, 1946), pp. 210-220.

33 Mendele Mokher Seforim, "Elteren un Kinder," in *Alle Verk fun Mendele Mokher Seforim* (Warsaw: Verlag Mendele, no date), vol. 17, p. 29.

34 *Tanhuma*, *Vayera*, 22.

35 *Ze'enh U-Re'enh*, to Gen. 22:5.

deluge him with tears and consider him mad. Does a woman have the mind to understand such things?<sup>36</sup>

The *Ze'edah U-Re'edah*, citing Bahya ben Asher comments on God's revelation to Abraham at the terebinths of Mamre says:

This indicates that there were many trees and things made of wood in Mamre's place. Why did God reveal himself to Abraham through the tree? To teach us that the Holy One blessed be He hinted to Abraham "Just as this tree when it becomes old continues to thrive and produce fruit, so is Abraham destined to produce sons in his old age."<sup>37</sup>

In Chaim Nahman Bialik's story, "*Aryeh Baal Guf*," there are not only personal echoes of the author's childhood, his father's lumber business and its forest environment but, also, literary echoes, among them the comment of the *Ze'edah U-re'edah* just cited. Aryeh's house and yard are filled with wood and wood products. His powerful body is likened to a sturdy oak, and "even though it (the body) had reached fifty years its strength was that of thirty years."<sup>38</sup> Behind the physicality of Aryeh there is also a spirituality that derives, as Bialik subtly hints throughout the story, from the divine sparks embedded in the forests, the trees and the wood of Aryeh's world.

To sum up, Jacob ben Isaac Ashkenazi salvaged the bridge of *parshanut*, of Jewish Bible exegesis, which, for ordinary men and women, had all but collapsed in his time. Through the *Ze'edah U-Re'edah*, he not only restored vital access to the past but also provided an important gateway to the future.

36 Mendelev Mokher Seforim, *Massaot Binyamin ha-Shlishi*, in *Verk*, vol. 9, p. 25.

37 *Ze'edah U-Re'edah* to Gen. 18:1.

38 Chaim Nahman Bialik, "*Aryeh Baal Guf*" in *Kitvei Ch. N. Bialik* (Tel Aviv: Publication of the Jubilee Committee, 1933), Book 2, pp. 2-3.

# *Music For Jewish Liturgy: Art For Whose Sake?*

LIPPMAN BODOFF

THE NATURE AND ROLE OF JEWISH MUSIC IN the synagogue and the related issue of the respective roles of cantor and congregation in chanting that music have not been consistent or free from dispute. Our tradition does not shed light on the extent to which the people assembled in the Temple joined the Levites in their songs, and there is no indication of the extent to which the music sung in the Temple was continually augmented by new compositions — and, if so, who composed them. The long history of the diaspora provides a pattern of varied practices on these matters, with little normative guidance from the various Jewish halakhic sources.

For example, the cantor, described as the *shlichah zibbur* (representative of the congregation) should have a pleasant voice, among other attributes of age, character, religious practices and marital status. He was admonished not to tax the congregation in his singing or to prolong the service unreasonably (*tirha d'zibburra*). There was also the fourteenth century ruling of Rabbi Jacob Mölln (Maharil) that one must not change the customs of a synagogue in any matter, even in regard to the introduction of melodies to which the people are not accustomed. As a practical matter, this ruling left the cantor free to introduce new music where there was no established custom and an openness to musical innovation existed. The ruling was designed to protect the traditional structure of synagogue music (*nusakh*), and it has succeeded.

One can easily agree to these parameters of the cantor's responsibility without beginning to agree on other, fundamental issues of his role versus that of the congregation in synagogue singing that are beginning to divide cantor and rabbi, cantor and congregation.

Indeed, with the increase in women cantorial graduates and the longer term growth trend in graduates from the major cantorial schools of all persuasions, we can expect the debates to continue and the problem to widen. These are far less acute in synagogues which do not depend on a regular professional cantor (*hazzan tmidi*) to lead the services but, rather, utilize the volunteered services of competent but non-professionally

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trained laity. However, the problem exists to some extent there, too, as will be evident from an analysis of its dimensions.

On the one hand, we have a cantorial tradition that goes back to the Middle Ages. It flowered in Europe over the last two centuries, was transferred earlier in this century to the United States, England and South Africa (there is little professional cantoring yet in Israel) and, after about two decades of relative decline, is enjoying a rejuvenation today. This is particularly true in Reform and Conservative synagogues as they move to increased ritual observance. This tradition embraced the idea that the cantor was expected to have a quality voice, to be trained in musicianship, and to sing significant, often complex compositions composed by him or by others, enriching the text by vocal embellishments and word repetitions, often augmented by a choir. The congregation served more as audience than as an active participant. Exceptions were the older Southern and Western congregations in Europe, whose responsive congregational singing dated to medieval times and was a continuation of the Oriental, Italian and Spanish-Portuguese service.<sup>1</sup> With the growth of the cantorial tradition, the compositions for the liturgy became increasingly elaborate and, indeed, independent works of art in their own right, often absorbing the modes of harmony, structure and melody to be found in the surrounding secular culture.

The best of these compositions had many virtues. They were written to assure proper pronunciation and phrasing of the Hebrew words and text, and to focus on the meaning of the liturgy and its significance. Indeed, the distinctive musical rendition of particular parts of the liturgy which vary by holiday and between holidays and weekdays probably developed from cantorial innovations of special expressiveness, beauty and power that gradually became accepted, between the eighth and thirteenth centuries, as permanent elements of the service.<sup>2</sup> Cantorial music moved and enlightened, engendering not just heightened awareness and understanding, but the special mood — of joy and sorrow, triumph and despair, inspiration and even catharsis — to match the occasion and the text. It provided a channel whereby the worshipper felt connected ultimately, not just to the prayer book and its liturgy, but to his fellow man, to the Divine and even to the Divinity, and sensed the Almighty's majesty and power, his care and love of the Jewish people and mankind.

At the worst, these compositions and cantorial renditions became the incarnation of art for art's sake. They were opportunities to show off compositional flair and vocal dexterity, interposing complexity and diversion and, ultimately, a barrier between worshipper and text. The result was congregational impatience and boredom. Services either took too long, or required the perfunctory performance of major parts to allow time for

1. A.Z. Idelsohn, *Jewish Music in its Historical Development* (Schocken Books, 1967), p. 281.

2. Abraham Millgram, *Jewish Worship* (Jewish Publication Society, 1971), pp. 513-30.



ambitious but uninteresting compositions. The question that begged to be asked was: For whose sake is the music? The Almighty's? The congregation's? The composer's? The cantor's?

It should be noted that the cantorial tradition did not take strong root in Sephardi services. The classicism of Sephardi culture deemphasized the florid, emotional aspects of *hazzanut*, and encouraged congregational chanting rather than solo singing. Moreover, by discouraging the roccoco-like *piyyutim* of Ashkenazi culture, Sephardim limited opportunities for the cantor to exhibit musical creativity. The result, Millgram points out, has been the relatively "monotonous rendition" of the services which is not palatable to most Ashkenazi Jews.<sup>3</sup>

There has also been a fairly distinct Hasidic style of individual congregant prayer and expression which was originally loud, chaotic, and lusty. Today it is more organized, focussed around the often beautiful, haunting and original compositions of the *rebbe* or the sect's regular composers, such as those of the Moditz Hasidim. The classic Hasidic style was thus distinct both from the relatively rapid, inartistic *davening* led by a *ba'al t'filah* (non-professional leader of the service) characteristic of unaffluent Ashkenazi Jewry, and from the cantorial tradition that could be found in the relatively larger, more affluent congregations.

A countertrend to the cantorial tradition developed in non-Hasidic congregations about fifty years ago. It sought to fill the vacuum between the short, democratic but perfunctory service of the traditional synagogue, in which the services were often just an unavoidable break between the learning of Torah, and the musically adventurous but elitist cantorial tradition. This countertrend, as paradigmatically embodied in the Young Israel movement, was part of a much broader attempt to make the synagogue a more democratic institution in Jewish life. Its purpose was to attract the young, Americanized, second and third generations to Judaism and away from assimilation, by giving everyone a greater say in the synagogue in every way. This trend strove to eliminate favoring the wealthy with synagogue honors, whether of ritual or leadership. It sought to encourage sermons by members of the congregation as well as the rabbi, sermons in English rather than Yiddish, shorter services, the leadership of the services by all members of musical and language ability, and — a crucial change from tradition — congregational singing.

Congregational singing necessarily put a premium on easy to recognize, relatively simple melodies that could be sung week in, week out. Indeed, their familiarity was considered their strength. At its best, this approach involved the congregation in a way that a professional cantor and choir never could. It produced an interest in, and identification with, the liturgy. It gave youngsters, who are notoriously impatient when inac-

3. Millgram, p. 526.

tive, a role in the services that provided an outlet for their energy, and a vital reason to return every week to the synagogue.

At its worst, it resulted in its own musical dynamic that tended to split music from liturgy. The goal was the pretty, singable tune, whether or not it fit the meaning and significance of the text and the day in the Jewish calendar. Since familiarity was crucial, music new to the congregation was feared and avoided. Congregations were “led” in prayer by musical cues, calling forth mass, automatic musical responses. Indeed, during the persecutions of Jews in Europe in the fifteenth and sixteenth centuries, congregations succeeded in pressuring cantors to sing popular tunes of the marketplace on Sabbaths and holidays, to help them forget their dire condition during the rest of the week.<sup>4</sup> As in later years, even until now, this appears to be a case where the cantors and traditional modes of song are not satisfying to the people. When this happens, change is inevitable.

It is ironic that current cantorial complaints against congregational singing based on folk songs, love songs, and other secular sources echo complaints against the excesses of cantors by rabbis and congregations centuries ago.<sup>5</sup>

The increasing separation of music and meaning was less of a problem at the inception of this populist trend in synagogue music, when the laity was largely unaware of the meaning of the Hebrew text, and synagogue democratization to counter assimilation was paramount. More recently, the growing knowledge and sophistication of the laity in music and liturgy has made the populist approach increasingly obsolete. Again, the question inevitably to be asked is: For whose sake are these melodies being sung? The cantor’s? The congregation’s? The liturgy’s? The Almighty’s?

At present, the cantorial tradition has increasingly been taken over by the Conservative and Reform movements, where classically — given the societal status of their congregants — the goal of democratization has had less of a priority. The move to the populist tradition, and away from the cantorial, has taken its firmest hold in Orthodox synagogues.

This divergence between the cantorial/Conservative and congregational/Orthodox approaches to synagogue music was paralleled by a similar divergence in Europe in the nineteenth century. The wealthier, more upwardly mobile, and more conservative Jewish bourgeoisie-entrepreneurs-intelligensia in Europe emphasized order, reason, dignity, loyalty to the secular Government, and the absorption of the best of the secular culture around them. The poorer working classes and small shopkeepers emphasized (and needed) emotion, change, excitement and spontaneity, mass participation, disrespect of secular and even Jewish authorities (except for their own *rebbe*) and loyalty to Jewish tradition and

4. Idelsohn, p. 178.

5. Millgram, p. 528.

culture to the exclusion of the secular culture around them. Later in its history, however, much of the Hasidic movement, for example, the Ger movement, moved away from emphasis on unbridled joy in religious song to the Mitnagdic conservatism and emphasis on ritual observance and Torah study. "Anything new is forbidden by the Torah," was a saying of the Hungarian rabbi, *Ḥatam Sofer*, that was popular with the Ger Hasidim. Their attitude against changes in dress and the reading of new, secular literature undoubtedly applied to innovation in synagogue music as well.<sup>6</sup>

Emerging changes of a sociological nature are also having an impact on both the cantorial and congregational traditions. There is a new emphasis on "learning" (Talmud study and commentaries thereon) and de-emphasis of aesthetically experienced communal prayer among the current Orthodox generation. The result is a movement back to the centuries-old tradition of short, unmusical services. The formula is more important than the feeling. Decorum is absent. The *hazzan* is discouraged from word repetition even where it enhances the text, and prayer is viewed as an unavoidable interlude between long stretches of "learning." This approach has been strengthened by synagogue music which is perceived as irrelevant, boring or worse.

The ritualistic attitude to prayer has some theological support in certain views of the *Tosafot*, the *Tur* and the *Shulḥan Arukh*, the nineteenth century code *Ḥayyei Adam*, and the current philosophies of prayer of Rabbi Soloveitchik and the Israeli philosopher, Yeshayahu Leibowitz. They seem to question whether man can still personally pray with proper devotion, as he did in rabbinic times. Indeed, for Soloveitchik, the highest if not the only legitimate form of prayer is based on man's terror and unworthiness before God. Thus, the justification for prayer today is duty, paralleling the binding of Isaac and the Temple sacrifices, leaving little room for spontaneity, novelty, or self-expression in worship. A broader view of prayer, as embracing the personal and creative expression before God of man's deepest feelings, longings and needs, is held by the Talmud, by Maimonides, and, most currently, by the Israeli philosopher David Hartman.<sup>7</sup> Interestingly, one is less likely to find the anti-aesthetic attitude in Israel, perhaps because a more fully rounded and less guilt-ridden Jewish life can flourish there, with less of the traditional *galut* fear concerning the continuity of religious practices.

6. Raphael Mahler, *Hasidism and the Jewish Enlightenment* (Jewish Publication Society, 1985), pp. 55, 64-7, 313-14.

7. David Hartman, *A Living Covenant* (The Free Press, 1985), chapters 6 and 7. There also may be a relationship between intensive Talmud study and asceticism and, ultimately, spiritual purification. This phenomenon goes back at least to the 13th century in Provence, France, when cadres of students were selected for seven years of intensive, isolated and ascetic Talmud study. See I. Twersky, *Rabad of Posquieres* (Jewish Publication Society, 1980), pp. 25-27.

But it is not just the Orthodox who are changing. Among Conservative and, increasingly, even Reform congregations, trends to greater observance and ethnicity have caused a major increase in synagogue attendance and a heightened desire to participate in song during the service. There is a new urge to identify with their service, their liturgy, their people and — as it were — with their God. Such desire for aesthetic, musical self-expression produces a new sense of communion with their fellow congregants, the rabbi, the cantor and the choir, too, who were previously viewed as remote symbols of a Judaism that was respected but rarely fully practiced.

Thus, the Conservative (and Reform) congregations increasingly want more singing, the very Orthodox want less, and both are unhappy with their past musical traditions. In this period of transition, as the roles of the cantor and the congregation evolve, a debate has begun between those who want the synagogue service to be a forum for congregational singing, and those, led by professional cantors, who view congregational singing as a threat not just to the cantorial profession and the jobs that it provides, but to the beautiful musical tradition of the liturgy.<sup>8</sup> In a word, as generations and their priorities change, the choice that seems to arise is one between elitist artistry and populist philistinism. I say “seems to emerge” because, as I will seek to argue, I think this choice is neither the only one nor the most desirable one.<sup>9</sup>

I suggest that before one can develop a concept of the proper role for cantor and congregation, there is a need to recognize a variety of concepts that are not mutually exclusive. There are solo and congregational singing, virtuoso and lyrical singing, modern and traditional music, familiar and unfamiliar music, great music and ordinary music, music that heightens the emotions and underlines the themes of the liturgy, and music that inspires the fellowship of a congregation joined in song. There are prayers and places and occasions for each of these in particular synagogues, at particular points in the liturgy, for the particular tastes of the Jews who make up a particular *zibbur*.

The people of Israel in prayer deserve better than the false dichotomy of art versus mass singing. A *shaharit* or *musaf* service on a Shabbat or Yom Tov, or a High Holiday, must always seek to inspire, to guide, to teach, and to explain what is going on in the liturgy, through music. This

8. The *piyyutim*, in particular, with their rhythmic regularity, seem ideally suited for congregational singing and are surely unsuitable for the virtuoso improvisations of *hazzanut*. This is not to deny the important role of the cantor in finding, commissioning and selecting appropriate music for these sections of the liturgy.

9. A recent article in Dennis Prager's newsletter, *Ultimate Issues*, highlights this dispute (“When Rabbis and Cantors Become Doctors and Artists,” *Ultimate Issues* [Spring 1985]: 12). In it, the editor notes the complaint of a cantor at the pervasive congregational rejection of great music for the synagogue as performed by professional cantors (and choirs). He then develops his own credo that synagogues are for congregational singing of familiar melodies, while the great music of which the cantor writes is for the concert hall.

must be done without creating *tirḥa d'zibbura*. To achieve these objectives, there is a need for good *nusah* and good music throughout, whether by cantor or congregation, that is right for the mood and theme of the day. Think of the challenge in this regard of the Shabbat between Yom Ha'Shoah and Independence Day and Yom Yerushalayim. There is a need for new music that *will become* familiar, and for the careful introduction of new modes and modern compositional ideas. There is even the need for changes in *nusah*, where they do not depart significantly from the accepted tonality and feeling of the basic *nusah*.

Finally, I suggest that it is time for a new, post-Holocaust approach to the music of prayer, that stresses neither the virtuoso cries of the oppressed of our past nor the trivial "pop-art" of fad tunes of our present, but, rather, a lyrical and sophisticated rendering of the kaleidoscope of themes and emotions in our liturgy. Such music, by modern composers like Ralph Schlossberg, Abraham Kaplan and Shalom Kalib, together with many of the masterpieces of the past and the best of music in the popular idiom, will bring a new interest and excitement to our prayers and help us transcend a world that is, indeed, "too much with us."

No *hazzan* is more important than his *zibbur*, to whom he owes his ultimate obligation, allegiance and authority. *Zibbur* and *hazzan* have gone through much together in our history, beginning with the songs of the Levites and the classical Sephardi collaboration of *hazzan* and congregation, through the melodies of Hasidic rabbis, the heartfelt renditions of *hazzanim* of our golden age, the classical compositions for the synagogue liturgy of the last century, the biblically oriented and nation building music of the people of Israel, be it songs of love, longing, triumph or despair, and the new, modern compositions of many talented composers now writing synagogue music. The creative tension between cantor and congregation must continue to combine the familiar with the new, to provide *davening* experiences which are ever fresh and not routine, as in the rabbinic injunction *al t'hi t'filahtkha keva* (do not let your prayers be routine). This can only be accomplished, as in the case of learning, as we increase, together with our teachers and our cantors, the variety and sophistication of the methods that we use to render and explicate the text, whether of Torah or of liturgy.

The lesson for *hazzan* and *zibbur* alike surely is: by continued mutual openness and receptivity one to the other, to continue to guide and inspire each other and to thrive as a harmonious unity rather than as adversaries.

# “Devekut” — The Essence of Hasidism

MENDEL BODEK

Translated, with an introduction, by Samuel H. Dresner

## Introduction:

Mendel Bodek, who edited anonymously several well-known collections of Hasidic tales, also gave us one of the first attempts at outlining the history of the movement in his little volume, *Seder Hadorot Hehadash*, which was first published in 1864.<sup>1</sup> In the introduction to that volume, Bodek describes what he takes to be the “essence of Hasidism,” as he puts it. This description differs somewhat from the generally accepted view of Hasidism’s essence, namely, *devekut*, which is to say, clinging to God by abandoning this world. Indeed, the word, *devekut*, is hardly mentioned by him in this context. To Bodek, Hasidism means serving the Lord in all one’s ways (Proverbs 3:6), setting the Lord before one at all times (Psalms 16:8), and concentrating on the *kavanah* along with the deed. It is the extension of God’s reign to all of creation, beyond Torah and prayer to worldly living, beyond the monopoly of the specialist into the realm of the common man, and beyond action into intention. The profane world is the very stuff through which man can serve God.

Heschel has pointed out that, at the very beginning of the Hasidic movement, a division took place between Rabbi Pinhas of Koretz and the Maggid Dov Ber of Mezritch. R. Pinhas would have preferred that R. Yaakov Yosef of Polna become the successor to the Besht and not the Maggid. Central to the division between these two — R. Pinhas and the Maggid — was the fact that they stressed different aspects of the Besht’s teaching: the former, the moral deed; the latter, *devekut*.<sup>2</sup> One way to fathom the subsequent history of the movement to our very day, even the history of the students of the movement, is by following these two lines of understanding. One further note, which both complicates and helps to clarify the matter: *devekut* has at least two meanings — *ecstatic devekut*, in which corporeality is obliterated in the ascension of the soul to its Source, a purely spiritual act, and what might be called *normal devekut*, in which one continues to carry out one’s affairs in the mundane world, but strives to do so always in the awareness of God’s presence, a moral-spiritual act. To the extent that Bodek is dealing with *devekut*, it is with *normal devekut*.

Rabbi Jacob Tzemah (who lived in the seventeenth century) observed that the appearance of Ari, Rabbi Isaac Luria — may his memory be for a blessing — was sorely needed by the troubled generation into which he

1. See G. Nigal, *The Hasidic Tale* (Hebrew) (Jerusalem: 1981), pp. 31–33.

2. See A. J. Heschel, *The Circle of the Baal Shem Tov* (Chicago: University of Chicago Press, 1985), pp. 19–30.

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was born, for through him the true wisdom of the kabbalah was revealed and disseminated, and in him there came about a mighty fortress of service to our Father in Heaven. In like manner, that glorious soul from on high, our master, the light of our eyes, the holy Baal Shem Tov — may his merit be a shield for us — was born into this generation, the generation of the footsteps of the Messiah, as a gift of the Almighty, to illumine our world with the marvel of his Torah and his holiness.

In past generations there were many good and true men who served the Lord with heart and soul and who busied themselves with the study of the Torah day and night. In the main they were of two classes: those whom God had favored with a generous livelihood and ample leisure, and those who had ignored worldly cares and willingly took upon themselves the rigours of poverty, the better to concentrate on Torah study. To neither of these groups, however, did the majority belong. They toiled from early morning until nightfall in the fields, in their homes or on the streets, and were so burdened by their search for daily bread that they had little time to taste the sweetness of the Lord in prayer or in the study of His Torah. Alas, they were far from both. Furthermore, even of those mentioned above who were able to devote themselves to Torah study, many were not wise enough to find in their learning a defense against that fearsome Stalker who has hidden in the secret recesses of the hearts of men from the day of their birth. Indeed, frequently their feeble efforts at Torah and the service of the Lord were cancelled out by a single drop of the evil pleasures they sought — gossip, falsehood, jealousy, hatred, hypocrisy, anger, and the like, but particularly pride, the cardinal sin which pollutes every virtue.

Therefore do we truly rejoice in the Lord who has taken mercy upon these lowly generations which eat their bread by the peril of their lives, where, though there is hardly a penny to be found, prices grow ever more dear, and where each day those who provide financial support for the students of Torah grow fewer in number (because of our many sins), as do those who seek learning or who inquire of the Lord. We rejoice, for the Lord has sent us a provider, a very angel from heaven, the holy one, our master and teacher, the holy light of Israel, the Baal Shem Tov — may his memory be for a blessing. He has enlightened the eyes of all Israel in the understanding that they need not abandon the Lord and His Torah — Heaven forbid — even in times of toil and drudgery. For he taught them that man's never-ceasing task is to separate good from evil in all his actions: in the work he performs along the path that he walks, and in every word that he speaks.

This is the very essence of Hasidism: to comprehend that the yoke of serving the Lord is ever upon us, in all that we do: whether it be the study of Torah, the act of worship, performing a *mizvah*, or whether it be some mundane activity, no matter how seemingly trivial — ordinary conversation, doing one's daily work or going about one's regular chores. In each



situation, one must remember, there is the choice between good or evil. That which is evil must be identified and abandoned; that which is good must be seized and held on to tightly.

The Mitnagdim slander the Hasidim when they accuse them of stinging on Torah study in favor of piety. It is a lie! For the ancient rabbis spoke truly when they said that “since the destruction of the Temple, what remains to the Holy One blessed be He, are only the four cubits of the Law” (B. *Berakhot* 4 a). It is the essence of Hasidism, however, to recognize that the very act of Torah study — or, for that matter, prayer or performing a *mizvah* or some other good deed — is (likewise) the harbinger of evil, by which I mean the *yezer hara*, the evil impulse, which one must contend with, and conquer. The Shulḥan Arukh spells this out clearly when it says that “very deed of man must be for *the sake of heaven*” (*Orah Hayyim* #231). That is the general principle. What Hasidism does is to particularize this teaching, emphasizing the notion of striving for the proper *kavanah* to each man’s every thought, desire and intent, including his Torah study and his performing the *mizvot*.

Fools believe that the essence of serving God is through one’s deeds alone; that in the absence of serious transgression, evil will disappear of itself. Consider the verse, “Turn from evil and do good” (Psalms 37:27). Because he has never committed adultery, murder, robbery or the like, the fool rejoices in the belief that he has fulfilled the first part of it, that is, turning from evil; and because he performs such *mizvot* as putting on *talit* and *tefillin*, praying from a *siddur*, washing his hands before meals, saying grace afterwards and giving a penny to the poor that he has fulfilled the last part, that is, doing good. Smug in his certainty that he has completed all that the Lord has asked of him, he is convinced that his behaviour adorns the Creator, as it were, with a crown.

All this is even more true if he happens to be a scholar. For then he may so puff himself up as to think himself superior to the unlearned, or, at least, to those less-learned than he. It seems perfectly obvious to him that such persons — the un-learned and the less-learned — are obliged to accord him proper respect. Failing to do so, heaven forbid, he holds them guilty of insulting the Torah itself, and hisses like a snake filled with the venom of hatred and vengeance. In time, after his anger abates, he may acknowledge his behaviour as improper and, in virtue of this admission, come to believe that he is as humble as Hillel and, consequently, deserving of even greater honor. Were he to examine himself under the glass of truth, however, he would know that his modesty is but a sham, nothing more than the temptation of that “evil impulse” which has hidden within him since the day of his birth and blinds his eyes to the truth. Such hypocrisy aggravates his arrogance. Were he truly humble, why would he have felt anger at all, and why should such a slight matter have bothered him in any case? Would it not have been better to have kept an open mind and

considered whether he might not have learned something from him who withheld honor? Perhaps heaven was sending a message?

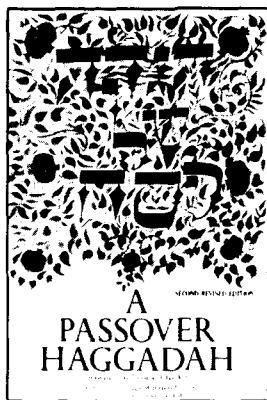
So, therefore, do we thank the merciful Lord for sending us this angel who has revealed to us the path of life through Hasidism. For by walking on this way, each Jew can deepen his faith in moments of anxiety and penury, heaven forbid; and whatever small benefit accrues to him by virtue of his Torah study and mizvot will teach him not to follow after his own eyes and his own heart, also during day-to-day matters. For example, when doing business, he will not lie, since it is written in our holy Torah, "You shall not deal falsely, nor lie to one another" (Leviticus 19:11); and when he measures out his merchandise, he will use "honest weights: an honest *hin* and an honest *ephah*" (Lev. 19:36); and he will restrain himself from speaking gossip or uttering such malicious words as befoul the mouth; and that he will take care not to stare at women, guarding his eyes from faltering — for all of this is the law of the Torah and the will of the Creator.

Thus will he be able to serve the Lord *at all times*, for, when he acts in this manner he would be studying Torah, as it were, at the very moment when he carries out his business or walks down the street. All the more so if he is numbered among the select who possess the secret of performing the divine unification (*yihud*) while he goes about his daily profane affairs, as the holy Baal Shem has taught us. For in that case it would be, in truth, as if one were to study the secrets of the Torah and the writings of the Ari during one's casual conversation, one's business affairs or simply walking down the street. (In either case, whether he, as it were, studies the secrets of the Torah or just the Torah itself), he will be able to serve the Lord at all times, never turning from the holiness of the Lord.

And this is the essence of Hasidism.

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# *The Jewish Fathers of Psychoanalysis*

Review-Essay by EMANUEL RICE

*Jewish Origins of the Psychoanalytic Movement.* By DENNIS B. KLEIN. Chicago and London. University of Chicago Press, 1985. 198 pp., \$8.95 (paper).

EVER SINCE THE DAWN OF HISTORY, THE two most difficult concepts for man to accept have been his mortality and his inherent imperfection. Innumerable attempts have been made to accommodate to this painful reality as evidenced by the many religious and philosophic quests which range from varying degrees of acceptance to complete denial.

Part of Sigmund Freud's significant contribution to our understanding of the human mind lay in his seeing the dilemma for what it was: that, in the relatively short span of biological and historical time, man has advanced far ahead of his animal ancestry but is still, and always will be, in developmental ascent on the evolutionary tree; that there would be periodic regressions to the behavioral expressions of our animal ancestry and to the extremes of mythological, magical and omnipotent, i.e., primitive, thought processes accompanied by behavior appropriate to them; and that absolute human perfection is unattainable. This blessed, idealized state of man is a hypothetical goal, an imaginary beacon towards which we all must strive but with the realization that it will never be reached.

Freud's goals were realistically limited in scope. His position was that mental pain and its effect on the physical body were due to unresolved, unconscious emotional conflicts and traumas whose primary origins, fantasied or real, were rooted in early childhood, and that bringing them to conscious awareness would lead to their alleviation. Only then would one's inherent potentialities become manifest and happiness, in varying degree, ensue. Others, like Otto Rank (the first non-physician to join Freud's study circle in 1906, and he left it in 1929 because of theoretical differences), were too impatient with the slow, tedious process of this new approach to self-knowledge with its almost exclusive emphasis on intellectual insight, in contrast to affective experience within the psychotherapeutic framework. Rank thought that he had a way, different from Freud's, in which the ultimate blessed state of happiness and creativity could be achieved, and in a shorter period of time. This is the basic framework of the book to be discussed.

It is a work that is simultaneously both enlightening and disturbing

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and does not read easily. Aside from the highly informative historical introduction and an integrated conclusion, only two psychoanalysts are the focus of major attention, Freud (62 pages) and Rank (34 pages). The author, Dennis Klein, is obviously partial to Rank, whose turgid, hyperbolic, apocalyptic and vague style appears to have had a contagious effect.

Klein demonstrates a scholarly grasp of 19th and 20th century Mid-European and Jewish history and to achieve it he went to original sources and documents, many of which were either not hitherto accessible or not mentioned. His work is rich in footnotes, appendices, notations and commentary. However, though the results of his meticulous research are quite impressive, it is his perception and understanding of all the data that leave me somewhat uneasy.

In the introduction, the author describes the historical, political, social, economic and religious influences on the life of 19th century Jews in the German-Austria component of the Austro-Hungarian Empire. For the Jews of Vienna, the period from 1861 (the issuance of the February Patent) to the early 1880s was one of political liberalism and Jewish emancipation. Humanitarian ideals were translated into political parties, with the result that Jews were allowed almost complete equality in all areas of life, as never before. They reacted to this freedom by distinguishing themselves in all fields of human endeavor and, though anti-Semitism was still present, it played a subdued and uninfluential role. It was the German component of the empire that kept a lid on the historic prejudices of the other ethnic groups. Jews wanted to be more German than the Germans and the process of assimilation took hold, with name changes and conversion to Catholicism becoming a common occurrence.

However, the course of political events in the 1880s slowly vitiated many of the liberal gains and anti-Semitism of an intensity not seen for many years re-emerged into the arenas of everyday life. This disillusioning process was intensified by massive migrations into Vienna of East-European Jews whose life-style, education and cultural attainments differed from that of the German-Jewish population, adding further to the divisiveness within the Jewish community.

According to Klein, with the decline of political liberalism in the 1880s there came a resurgence of Jewish nationalism and self-pride. Though anti-Semitism was now again out in the open, Jews still enjoyed almost unlimited opportunities, except at the highest levels of government and academia. It is the author's contention that the decline of, and disillusionment with, political liberalism at the end of the 19th century resulted in a resurgence of Jewish pride, a turning inward, a sensitivity to subjective states and a psychological mode of interpretation that focused on unconscious motivation. This then led to the Jewish origins of psychoanalysis. The psychoanalytic movement became the vehicle of expression for the humanitarian ideals that were supposed to have flowered in an

atmosphere of political freedom and equality. Psychoanalysis, according to Klein, thus became a redemptive movement.

The author then discusses Freud's background and development. His parents originally came from the Jewish pale of East Galicia with an Orthodox and Hasidic background, but, in 1844, migrated westward where they were exposed to the cosmopolitan traditions of the *Haskalah* (i.e., Enlightenment). As a result, their religious ritual observance declined and Freud appears to have been raised with a modicum of religious observance and education. Though faced with anti-Semitic expressions which were endemic in Vienna, he never surrendered his pride in being Jewish. (At the age of fourteen he changed his first name from Sigismund to the more German form, Sigmund, presumably because the name had gained currency as a favorite term of abuse in anti-Semitic jokes. Klein suggests, however, that this change had more to do with Freud's desire to cut his ties to his Jewish background and identify more closely with the progressive German liberal culture.)

Freud joined the Vienna chapter of B'nai B'rith in 1897, two years after it was founded, because he felt a fellowship with his fellow Jews and shared their humanitarian ideals.<sup>1</sup> From 1897 to 1902 he attended every meeting on alternate Tuesdays and gave a total of ten lectures to the group, where he was admired and respected by his lodge brothers, in marked contrast to the hostile reception by the medical societies of Vienna. He was chairman of the Cultural Committee and also instrumental in founding a second chapter in Vienna. Klein argues that these opportunities for the discussion of his ideas contributed substantially to the development of the psychoanalytic movement and account for much of its Jewish origins. Only one of these lectures has been found, though summaries of the others have been located in the transcribed minutes of the meetings. The talks contained material of a non-technical nature, which would appeal to a sophisticated lay audience.

Klein is plainly in error about the origins of psychoanalysis. Many of Freud's concepts were developed prior to 1897. In his "Project for a Scientific Psychology," written in 1895 but not published until the 1950s, he already adumbrates ideas which underwent further development years later. The first book on psychoanalysis, "Studies On Hysteria," was co-authored with a most distinguished Viennese scientist and physician, Josef Breuer (who was a life-long member of the *Chevre Kadishah* Burial Committee) thus indicating an intense Jewish religious commitment, and was published in 1895. The first ten years of psychoanalysis, 1888-1898, were Freud's most creative decade.

Klein does not pay much attention to Freud's scientific background, including his extensive research while working with some of the most

1. By delving into the organization's records, Klein has made an important contribution to our knowledge of Freud's involvement with B'nai B'rith.

famous scientists of his day. Their research in the basic neurologic sciences led to his interest in the psychological aspect of the brain, i.e., the mind. His early ideas on infantile sexuality were shocking to his medical colleagues and resulted in an alienation from the major medical societies. His involvement with B'nai Brith, and the acceptance there may well have served as a source for the enhancement of his self-esteem. It is quite another thing, however, to say that it was decisive in the origins of psychoanalysis.

Freud was, above all, a scientist with a rational mode of thought appropriate to his field of study and his speculative leaps were, for the most part, held in constraint by this basic attitude. The same thing could not be said about some of his colleagues. When Rank joined Freud in 1907 he was a young man of twenty-three. He came from a lower middle class, Jewish background, had had a modest education in a training school and had done manual labor in a factory, but Freud recognized his potential and urged him to go on to the university and actually subsidized him there until his studies were completed. Though Rank was innately brilliant, he was an emotionally troubled man and for nearly all of his life he was subject to severe mood swings, ranging from intense depression and loneliness, with suicidal thoughts, to periods of high elation. At the age of fifteen he had decided that he was no longer going to be Jewish and, in 1907, he formally converted to Catholicism so that the courts would then allow him to change his name from Rosenfeld to Rank. (According to Klein, the name was chosen because of the phonetic equivalence with the Nietzschean work, *rang*, which means "struggle.") Presumably, the name change was made for opportunistic reasons, i.e., so that he could collect royalties from articles that he had, or was going to, publish under that name. (This conscious motivation on the part of Rank is highly questionable and should not be taken at face value.) But, in 1918, he renounced Catholicism so that he could marry a Jewish girl. Despite these identity changes, Rank felt that only the Jew had the special creative powers and qualities to be a psychoanalyst and that the Jew's access to his own primitive sexuality made him different from anyone else. Prior to his involvement with Freud, Rank had had other ideological masters (whom he did not know personally), first the composer Richard Wagner and then the philosopher Nietzsche.

In 1905, Rank wrote a brief essay, "The Essence of Judaism," which was found and translated by Klein and is included in the Appendix. Through no apparent fault of the translator, I found this essay to be incomprehensible. In it he defines that essence as a primitive sexual force that produces natural and creative energy. Its meaning eludes me.

The attention that Klein pays to Rank far exceeds his actual importance, for his contributions to the mainstream of psychoanalysis were moderate. References to him in the current literature are infrequent. His concept of "The Trauma of Birth" (as published in 1923) and his convic-



tion that the failure to undo that trauma is the origin of all neurosis, have not found many adherents outside of Rankian circles. The work contains no clinical data and is a blend of art, philosophy and religion, which makes it read like a religious tract. For Rank, birth (i.e., delivery from the uterus) is the prototypical traumatic event in life. All subsequent developmental crises are repetitions of the putative emotional sequelae of this event with all the attendant panic and anxiety that are stimulated by the mother-infant separation. Uterine existence is viewed as a state of paradise which has been interrupted by birth and the rest of life is spent coping with the innate desire to return to this primal bliss. The therapeutic process should be brief and the patient must undergo a dramatic rebirth experience that does not require the acquisition of intellectual insight. Such concepts are really more Christian than Jewish and do not seem very far removed from the theological concepts of Original Sin, Salvation and Redemption through Christ and Rebirth, especially as espoused by the born-again Christians.

Rank conceptualized psychoanalysis in cosmic terms, perceiving it as a mission, a quasi-religious movement. His approach was phylogenetic, i.e., based on natural evolutionary processes, in contrast to Freud's, which was ontogenetic, i.e., the development of the individual organism. There is a messianic, religious, almost apocalyptic, quality to Rank's writings. His primary focus is on "creative self-expression," the attainment of which was the goal of psychoanalysis. Concepts like "redemption," "inner renewal," "collective struggle" permeate his writings. While Freud emphasized intellectual insight, Rank stressed emotional release. For Rank, a rational approach merely prevented free expression and worsened the neurosis. He believed that only Jews could redeem mankind through psychoanalysis and that this redemption would result in a burst of creative self-expression (this is obviously more Nietzsche than Freud). It is important to note that belief in a deity of whatever nature or definition, ritual observance or religious education, play little, if any, role in this conceptual framework, or, for that matter, in Rank's definition of Jewishness. Why, therefore, Klein chose Rank as a supreme example of the Jewish contributions to psychoanalysis appears to have more to do with the former's theoretical proclivities than with the latter's Jewishness.

Insight that is derived from the classical Freudian psychoanalytic process does not have the quality or intensity of what is viewed by Rank, as Klein describes it, as almost an apocalyptic experience. Psychoanalytic insight is not revelational. If it appears to feel so, then we must suspect the presence of intensified resistance to real awareness rather than true insight. That results from the individual's gradual and repetitive awareness of derivative impulses, desires and fantasies, that are responsible for feelings of excessive guilt and sinfulness. These have their origins in the early years of life and still persist, unconsciously and partly consciously, but with undiminished intensity into adulthood. That is the hallmark of

the therapeutic process. Some patients are helped more than others and some not at all. I have seen many instances where complete immersion and involvement in a movement, religious or political, with a charismatic leader, does accomplish the Rankian state of bliss. It is quicker, less painful, and cheaper than psychoanalytic therapy, but most would agree that these results are transient and spurious. Genuine and lasting happiness, peace of mind, and "creative expression" come in small, almost imperceptible increments and, then, not very easily. It has been said that the devil was once an angel; unless we have met the devil, in this instance in ourselves, we are not likely to recognize a true angel when we see one.

Klein's definition of Jewishness appears to be narrowly secular. For him, it is the residue of his distillate of all of Jewish history and tradition, leaving only the highest of humanitarian ideals and ethical standards. The process of separating out of these ideals and standards from the theological, historical, ritualistic, and cultural contexts of traditional Judaism began relatively recently, with the founding of the Reform Jewish movement in Germany in the 19th century. Klein does not consider the effect of Jewish education, theological beliefs, ritual observance, or of parental attitudes towards them that are transmitted to their children, though we all recognize the obvious significance that the family and group ambience have in fashioning a life style guided by a love of learning and the highest ethical standards and values. Freud's parents came from an Orthodox Jewish background and maintained some continuity with that tradition. Despite Klein's views, it is the influence of the totality of these factors that must be kept in perspective when defining Jewishness.

That there is a discrepancy between Klein's conception of the Freud family's religious background and its true nature is apparent from some documentary evidence that has recently come to light. Young Sigmund grew up in a Jewish environment and his father retained traditional beliefs, as is made clear by the following inscription, in the father's handwriting, in the family Bible on the occasion of the son's 35th birthday.

My dear son Schlomo

In the seventh (year?) of your life the spirit of the Lord began to move you [cf. Judges 13:25] and said to you: Go, read in my Book that I have written, and there will be opened to you the sources of wisdom, of knowledge and understanding. See, the Book of Books, from which the wise men dug out their wisdom and the lawmakers learned law and justice [cf. Numbers 21:18]. You have looked upon the face of the Almighty [cf. Numbers 24:4, 16], have heard and striven to climb upwards, and you flew upon the wings of the Spirit [cf. Psalms 18:10]. For a long time the Book has been hidden (kept safe) like the fragments of the Tables of the Law in the shrine of his servant, [yet] for the day on which you have completed your 35th year I have had it covered with a new leather binding and given it the name: "Spring up, O well! Sing ye unto it!" [cf. Numbers 21:17] and offer it to you for a remembrance and a memorial of love.

— From your father, who loves you with unending love —

Jacob, son of Rabbi Sch. Freud.

In the capital city of Vienna 29 Nissan 5651, May 6, 1891.<sup>2</sup>

This dedication, utilizing words and phrases from the Bible, exemplifies the euphuistic style of the day. Extensive use is made of metaphor and flowery language to express deep feelings. The opening phrase, “My dear son Schlomo” (*ben yakir li*) can be found in Jeremiah 31:19 (“*haben yakir li Ephraim*”) which, in turn, is derived from Genesis 48:9-22, where the patriarch Jacob blesses his son Joseph via the latter’s children, Ephraim and Menasheh. The phrase is also part of the Rosh Hashanah Musaf service. In the above dedication Jacob Freud equates “visions of the Almighty” with insight. In his use of “Tables of the Law” he relies on the Talmudic tradition (Tractate *Menahot* 99a), which, in turn, is derived from Exodus 32 and Deuteronomy 10:1-2, and pertains to Moses hiding the broken fragments in the Ark of the Covenant. “Servant,” in all probability, refers to Moses rather than to Jacob Freud.

I have also recently learned some further data about Freud’s mother, whose significance appears to have eluded his biographers. She lived to the age of 95 and, to the very end, her primary and almost exclusive language was Galician Yiddish. For whatever reason, she never bothered to learn German and her working knowledge of it was limited and fragmentary. The reader can well imagine the effect on her son of growing up in a family where both parents came from Orthodox Hasidic backgrounds in Galicia (the father from Tysmenitz and the mother from Brody), where the mother continued, at least for a while, many Orthodox religious practices and where Yiddish was the primary and probably exclusive language of communication in the child’s formative years. In all probability, therefore, Yiddish, not German, must have been Freud’s first language. He did not begin formal schooling until the age of nine, prior to which his father and mother were his primary teachers and the family Bible was a major text for learning.

The main strengths of Klein’s book stem from his access to sources and documents hitherto unknown or unpublished, his extensive notes and appendices. His unique historical approach to the origins of psychoanalysis is scholarly, informative and, at times, quite fascinating, though not always convincing. Despite its shortcomings, this book is a significant contribution to an important facet of psychoanalytic history.

2. The translation and some of the notations and comments are from *Sigmund Freud — His Life in Picture and Words*, ed. by E. Freud, L. Freud and L. Grinbrich-Simitus (New York: Harcourt Brace and Jovanovich, 1978) pp. 134 and 329. Comments on the opening phrases are the reviewer’s.

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# *The Pluralistic Nature of Orthodox Judaism*

*Review-Essay by* DAVID ELLENSON

*The Modern Impulse of Traditional Judaism.* By ZVI KURZWEIL. Hoboken, N.J.: KTAV, 1985. xiv + 156 pp.

ORTHODOX JUDAISM IS CERTAINLY A FOCAL point of contemporary Jewish attention and concern. In Israel the political power of Orthodoxy is well-publicized and polls report that a majority of youth in the Israeli population look favorably upon what is termed “a returning to religion.” Major dailies in the United States frequently carry articles describing the warmth and vitality that appear to mark Orthodox communities. *The New Yorker* treats its readers to a three-part series which, at times, waxes rhapsodic over the holistic beauty that a Hasidic way of life offers to its members. Even when one reads the legitimate protests issued by non-Orthodox leaders against the “uncivil” behavior exhibited by some Orthodox Jews on various issues, there is the nagging suspicion that the tone of the reaction is partially related to those leaders’ perceptions that their lay constituencies regard Orthodoxy as “the guardian of authentic Judaism.” No wonder that several Orthodox leaders have proclaimed this age to be one of “Orthodox triumphalism.”

Reasons for this increasing élan among the Orthodox are many. The centrality of Israel in much of world and American Jewish life — particularly among the leaders of world Jewry — and the “enshrinement” of Orthodoxy within the State are certainly important contributory factors. The rise of ethnicity within America and the revival of religious conservatism in both America and the world have also permitted a manifestation of Orthodox public religious behavior that would have been virtually unthinkable a generation ago. And, in a voluntaristic Jewish world where at least half of the Jewish population chooses not to affiliate, the active participation that Orthodoxy elicits from a great proportion of its membership cannot be dismissed as an insignificant element in explaining the high profile that Orthodoxy currently enjoys. For this level of commitment grants Orthodoxy a presence and degree of communal influence out of all proportion to its actual numbers in the total Jewish population.

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In the light of these developments, historians, philosophers, and sociologists have begun the task of describing the nuances, complexities, and divisions of Orthodox Jewish life and thought in the modern world. Such studies still remain in their nascent stage and, as Norman Lamm notes in his introduction to Zvi Kurzweil's *The Modern Impulse of Traditional Judaism*, "The few articles and works that have appeared are only a beginning, especially if one excludes polemics and apologetics" (p.ix). This undoubtedly helps to explain why, in the popular Jewish mind, Orthodoxy is often viewed as monolithic. Yet the reality is that Orthodoxy evidences a pluralism as great as, or greater than, that of the other denominations of modern Jewish life. Right-wing forces within Orthodoxy have become increasingly dominant within recent decades and the "modernist" camp in the Orthodox world, if not in full flight, can, at the very least, be described as confronting a crisis of confidence. *The Modern Impulse of Traditional Judaism* is thus doubly welcome, for it informs us about the pluralistic nature of Orthodox Judaism in the modern world and argues on behalf of what a "modern Orthodox" vision of that world ought to be.

Kurzweil is, himself, an educational product of the modern Orthodox Jewish world view that he both describes and espouses. Ordained by the Berlin Hildesheimer Rabbinical Seminary and a recipient of the doctoral degree after study at both the German University of Prague and the University of London, he is a Professor at the Technion in Haifa and has written several important books on Jewish thought. In his introduction, he delineates what he sees as the two central characteristics of the "modern impulse" within contemporary Jewish Orthodoxy. The first is "the conception of an open Judaism," one not "burdened by dogmatic theology." It is this "dogmalessness" that allows modern Orthodoxy its "tolerance" and permits Orthodox Jews "to enter all walks of life and participate in the scientific and technological endeavors of humanity without sacrificing any essential feature of traditional Judaism in the process" (p.xii). In addition, Jewish "Neo-Orthodoxy" (Kurzweil's term) is also marked by "the attempt to bring out the flexible nature of Halakhah." This does not mean, as some of its critics charge, that Neo-Orthodoxy is less committed to the Halakhah than are more "traditionalist" elements within the Orthodox world. After all, statutes and ordinances within every legal system admit of either "strict" or "lenient" interpretations. Rather, when Kurzweil speaks of the "flexible nature of the Halakhah," he points to the fact that there is a tendency within Neo-Orthodoxy to interpret Halakhah so as "to substantiate the possibility of its application to all situations of life" and, in so doing, disprove "the wide-spread prejudice that Halakhah is in a state of stagnation, incapable of application to modern life situations" (p.xii).

Having established the two traits of "openness" to general Western culture and "the flexible nature of Halakhah" as the defining ones of a

modern Jewish Orthodoxy, Kurzweil now has a lens through which he can view and analyze the thought and teaching of such major Orthodox figures as Samson Raphael Hirsch, Isaac Breuer, Yeshayahu Leibowitz, Joseph Soloveitchik, and Abraham Isaac Hachohen Kook. He also possesses an instrument through which he can advocate what a modern Orthodox approach might be to issues such as "faith and doubt," "revelation," "equality of women," and "religion and state." He not only employs insights garnered from the persons mentioned above to confront these problems, but adds his own reflections as well as those of men such as Mordecai Breuer, Norman Lamm, Emanuel Rackman, and Eliezer Berkovits to project a modern Orthodox position.

Kurzweil's expositions of the leading Orthodox Jewish thinkers of today indicate that these are modern men who are highly attuned to the pulse of Western civilization and letters. Attracted in the same way that their non-Orthodox Jewish brethren are to the allure of secular culture, they do not shrink from incorporating its values and teachings into their own systems. They, like the exponents of Conservative, Reform, and Reconstructionist Judaism, engage in a dialectic between the Tradition as they perceive it and the demands of their contemporary cultural situation. Rabbi Hirsch, for example, is characterized as refusing to "view Judaism as rigorously self-contained." Hirsch, Kurzweil reminds us, believed in Judaism's "universal aspects, its humanistic message, and its willingness to enter into partnership with general culture, welcoming the achievements of the human spirit, whatever their source . . ." (p. 30). Similarly, Isaac Breuer, one of the founders of Agudat Israel, used Kant "in his support of traditional Judaism" against the attacks of biblical critics and historians (p. 36). His admiration of the German philosopher and his belief that the latter's distinction between the phenomenal and noumenal realms provided an impenetrable philosophical defense for the Orthodox conception of *Torah min Hashamayim* are attested to in the following quotation from Breuer which Kurzweil cites:

God caused to rise among the nations the exceptional man Kant . . . Blessed be God who, in His wisdom, created Kant! Every real Jew who seriously and honestly studies the "Critique of Pure Reason," is bound to pronounce his "Amen" on it (p. 46).

Rabbi Soloveitchik, too, is presented as a champion of openness to Western culture and as one who regards the values of halakhic Judaism and the fundamental universalistic notions of the non-Jewish Western world to be identical. Summarizing Soloveitchik's teachings in *Halakhic Man*, Kurzweil observes that

It is no mere coincidence that the identical qualities — creativity, spontaneity, activeness, originality, authenticity — are regarded as values of central importance in secular Western philosophical and educational thought . . . This would appear to be a rather novel and original trend in the rabbi's philosophy, its purport being . . . to convey to the modern Jew that the very



same values that underline secular Western thought are . . . inherent in fundamental Jewish philosophy and hence not alien to the Jew (pp. 103-104).

Kurzweil's tendency to read his thinkers in light of his thesis of "openness" to Western culture is further illustrated in his presentation of Rav Kook, depicted as the author of a "philosophy of religious tolerance" which allows for positive relationships between observant and secular Jews. A final example which demonstrates the nature of Kurzweil's approach is the fact that even Yeshayahu Leibowitz's contention that Judaism is a system of divine commandments alone is assessed in an affirmative Western light. For Kurzweil not only stresses the influence of Mendelssohn, Kierkegaard and Kant upon Leibowitz, but, in so doing, argues that Leibowitz's theocentric interpretation of Judaism — an interpretation that causes Leibowitz to attach no religious significance to the Jewish State — allows him to become, in keeping with Western values, an advocate of separation between religion and state. In this way, Leibowitz provides a significant and needed sense of legitimacy for those Orthodox Jews who oppose the manifestations of religious coercion that is apparent in Israel today.

Kurzweil's renderings of the thought systems of these men are obviously insightful and interesting. Indeed, his expositions are lucid and undoubtedly constitute the best collection of English language essays yet written on this range of modern Orthodox thinkers. Still, in his eagerness to point out their receptivity to Western culture and values, the author slides over those tensions which do remain between their thoughts and the beliefs and values that he identifies as central to Western society. There is no doubt that he does so because his presentations are designed to present a portrait of a modern Orthodoxy which, drawing upon the authority of these men, would alleviate the major elements of dissonance that might arise between Orthodoxy and the primary humanistic values of liberal Western civilization. This attempt at dissonance-reduction, characteristic in some sense of all theological systems, thus simultaneously distorts, as well as shapes, the summary that he offers of each man. Leibowitz, for example, does provide a rationale for the reduction of religious coercion in Israel. It is equally true, though, that Leibowitz's absolute refusal to identify Judaism as anything other than a system of divine legislation is at complete odds with the standpoint of Orthodox Jews like David Hartman and scores of Liberal Jewish thinkers who contend that Judaism has a more anthropocentric quality than Leibowitz would allow. Similarly, it is correct to assert that Rav Kook's philosophy, by assigning religious significance to the work of the secular pioneers in Israel, permits Orthodoxy to display a high degree of tolerance for the activities of less traditional Jews. Kurzweil's analysis, however, on account of the thesis of openness that supports it, does not allow him to state that Kook's stance neither grants the labor and thought of these people an integrity of their own nor cedes even a modicum of legitimacy to religious viewpoints other

than the Orthodox one. This is not to say that Kook should have done so or that Leibowitz is wrong in his views about the nature of Judaism. Instead, it is meant to point out that Kurzweil's desire to present these persons in a certain light causes him to neglect those aspects of their thought which would run counter to his own thesis that Neo-Orthodoxy is completely hospitable to the temperament of the Liberal West.

This dimension of Kurzweil's project, and the support that he galvanizes for it through his analysis of these Orthodox exemplars, is made abundantly manifest in his chapters on the various issues and challenges confronting Orthodoxy in the modern world. Drawing upon a host of modern Orthodox thinkers, he is able to argue that religious doubt is not a sign of heresy, "but rather a consequence of and the price exacted for the openness of the *Torah im derekh erez* type of traditional Judaism" (p. 77). Doubt may even be seen as "an integral part of religious faith," while "the intellectual freedom of the Orthodox Jew" is "supported by and anchored in his unswerving loyalty to Torah" (p. 78). In another chapter Kurzweil addresses the challenge that *Religionswissenschaft*, with its notions of historical development in Judaism, poses to the seemingly traditional notion of God's ahistorical revelation of the Written and Oral Laws to the Jewish people at Sinai. In the discussion of this matter, Kurzweil calls on several Orthodox thinkers to support his contention that modern conceptions of scholarship and the traditional notion of *Torah min Ha-shamayim*, interpreted rather flexibly, are not incompatible (p. 90). Concluding with a comment upon the statement found in the *T.Y.*, *Peah* 2:4, "Even what an astute student will in the future remark to his master has already been said to Moses on Sinai," Kurzweil contends that the remark "is used here in a metaphoric sense." Indeed, "traditional Judaism is incompatible with such fundamentalism" (p. 91). Yet, it should be noted that Rabbi J. David Bleich, writing in the pages of this same journal (*JUDAISM*, Winter, 1980), understood the same passage quite literally (p. 31). While I suspect that Kurzweil, and not Bleich, is correct in his exegesis of this passage, the major point that I would make here is that once again Kurzweil displays a pronounced tendency not to acknowledge that there may well be some real tensions between certain dispositions of an Orthodox Judaism and the values that he takes to be characteristic of the modern world.

This characteristic of his thought is seen even more strongly when he turns from matters of revelation and faith to the "practical issues" of women and religion and state. In his chapter, "Equality of Women," Kurzweil contends once more that the Halakhah is flexible in this, as in other, areas, and concludes, ". . . If the Torah were to be viewed as a rigidly fixed text, not susceptible to various interpretations, it would in the course of time become irrelevant to our lives." "Hence, the application of a *hora'at sha'ah* enactment which established the equal status of women and men within reasonable limits (Orthodoxy will, for example, not

accept acting female rabbis) is justified" (p. 123). The question, however, immediately arises in regard to the parenthetical assertion, "Why not?" If the Halakhah, as Kurzweil argues, is flexible and can establish "the equal status of men and women within reasonable limits," who is to assert that the ordination of women as rabbis is not a "reasonable" position for a Jew to take? Kurzweil would be logically better off here if he argued, as have Conservative rabbis David Novak and Alan Yuter, that "gender equality" is a Western, not an halakhic, ideal and that here Judaism must simply respond, "No."<sup>1</sup> Again, I do not wish to be misunderstood. As a passionate advocate of gender equality within Judaism, I would even argue that such a position is in accord with the highest spirit of Jewish values. Rather, my criticism points to what I perceive to be the major weakness in Kurzweil's approach. His strong sense of commitment to both traditional Judaism and Western values, and his virtual identification of the two, do not allow him to admit that there may be a conflict between the two systems on an issue such as the ordination of women as rabbis. Consequently, he is left with what seems the logically unsatisfying position of asserting that an open and flexible Halakhah permits the equality of men and women in Judaism, while simultaneously maintaining, arbitrarily it appears, that women may not be ordained. If not for the thesis which undergirds the book and with which he identifies, he might simply admit that there is a conflict at this juncture between halakhic Judaism as he understands it and a position of gender equality in the contemporary West which views the refusal to ordain women as rabbis as an atavistic form of discrimination.

The chapter on "Democracy and Religious Freedom," dealing with the relationship between synagogue and state in Israel, only reinforces this point. For example, in a provocative discussion of many aspects of this issue, Kurzweil states that the founders of the modern State of Israel established a democratic country because, in part, "the concept of democracy is deeply rooted in the Hebraic heritage." Furthermore, he contends that "the concept of democracy itself implies freedom of conscience in the broadest sense" (p. 126). Yet, as he notes, Israeli law prohibits public transportation on the Sabbath and allows laws of marriage and divorce for Jews to be administered solely by an Orthodox rabbinate in accordance with an Orthodox understanding of Halakhah. Such laws, he notes, do "impinge upon the beliefs and convictions of the individual" (p. 126). Nevertheless, Kurzweil argues that these political enactments are justified, for if not for such religious coercion, then the Jewish character of the State might disappear. In addition, if the religious authorities allowed mixed marriages to take place, then such unions would be tacitly "legitimated" and in this way "encouraged" (p. 130). My purpose in summari-

1. See Novak's essay, "Women in the Rabbinate?" in his *Halakhah In A Theological Dimension* (Chico, California: Scholars' Press, 1985). Yuter's article on this matter appears in *SH'MA* (November 15, 1985): 6-7.

zing Kurzweil's argument on this subject is not to engage in a substantive discussion on what the nature of the relationship between synagogue and state in Israel ought to be. Rather, it is to assert once more that Kurzweil places himself within a logical bind because of his failure to acknowledge that there may be a conflict between a modern conception of individual liberty, defining religion as a private matter of conscience which religious leaders can attempt to address through powers of suasion, and a pre-modern approach viewing religion as a communal affair whose dicta can be enforced, if necessary, through political coercion. The issue is obviously not one that admits of easy solution, but the author's approach does not permit him to identify the full range of the problem.

This criticism is only intended to underscore the importance and significance of Kurzweil's book. His work is provocative and stimulating in the best sense of those terms. It is indispensable for anyone interested in the state of Orthodox Judaism in the contemporary world and is a most valuable addition to the growing literature on modern Jewish Orthodoxy. In a Jewish world where the polarization of the various Jewish denominations appears to be increasing, Kurzweil reminds us of the genuine humaneness informing the spirit of the German Jewish Orthodoxy into which he was born and which bred the modernist camp of Jewish Orthodoxy in America. The "open and flexible" Orthodoxy that he champions is most appreciated in an age where many Orthodox leaders are increasingly hostile to the culture of the Western world and where the Halakhah, as Charles Liebman has pointed out, tends to be interpreted by modern *poskim* in escalatingly "rigid" ways.<sup>2</sup> In sum, *The Modern Impulse of Traditional Judaism* is a valuable addition to the growing literature in this field, providing Liberal Jews with insights into the nature of modern Orthodoxy and also with the opportunity for dialogue with its representatives. More significantly, it offers a vital challenge to the Orthodox themselves by urging them not to turn inward and away from the vast world that is inhabited by most Jews in the contemporary setting.

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2. Charles Liebman, "Extremism as a Religious Norm," *Journal for the Scientific Study of Religion* (March, 1983).

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### **Arabs and Jews**

Cutler, Allan Harris and Helen Elmquist Cutler. *The Jew as Ally of the Muslim*. Medieval Roots of Anti-Semitism. Notre Dame, Ind.: Notre Dame Press, 1986. xii + 577 pp., \$50.00.

Patai, Raphael. *The Seed of Abraham*. Jews and Arabs in Contact and Conflict. Salt Lake City, Utah: Univ. of Utah Press, 1986. xv + 394 pp.

### **Autobiography and Biography**

Antin, Mary. *From Plotzk to Boston*. New York: Markus Wiener Publishing, Inc., 1986. xxi + 80 pp., \$6.95 (paper).

DeFries, Lewis. *You Should Have Been Here Yesterday*. Boston: Salem House, 1986. 190 pp., \$13.95.

Haggard, Virginia. *My Life With Chagall*. New York: Donald I. Fine, Inc., 1986. 190 pp., \$18.95.

Hentoff, Nat. *Boston Boy*. New York: Alfred A. Knopf, 1986. 176 pp., \$15.95.

Kotler, Yair. *Heil Kahane*. New York: Adama Books, 1986. 212 pp., \$17.95.

Valladares, Armando. *Against All Hope*. Prison Memoirs. New York: Alfred A. Knopf, 1986. xiv + 381 pp., \$18.95.

### **Christianity**

Liebman, Robert C. and Robert Wuthnow. *The New Christian Right*. New York: Aldine Pub. Co., 1986. viii + 256 pp., \$11.45 (paper).

Maccoby, Hyam. *The Mythmaker*. Paul and the Invention of Christianity. New York: Harper & Row, 1986. xii + 237 pp., \$17.95.

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Markish, Shimon. *Erasmus and the Jews*. Chicago: Univ. of Chicago Press, 1986. viii + 203 pp., \$25.00.

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Cohen, Steven M. and Paula E. Hyman, eds. *The Jewish Family*. Myths and Reality. New York: Holmes & Meier, 1986. 242 pp., \$42.50.

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- Maspero, François. *Cal's Grin*. New York: Alfred A. Knopf, 1986. 295 pp., \$16.95.
- Nyburg, Sidney W. *The Chosen People*. New York: Markus Wiener Pub., Inc., 1986. x + 363 pp., \$9.95 (paper).
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- Zangwill, Israel. *The Big Bow Mystery*. New York: Carroll & Graf Pub., Inc., 1986. 160 pp., \$2.95 (paper).

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### **India**

- Timberg, Thomas A., ed. *Jews in India*. New York: Advent Books Inc., 1986. 360 pp., \$30.00.

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- Ben-Porath, Yoram., ed. *The Israeli Economy*. Maturing Through Crisis. Cambridge, Mass.: Harvard Univ. Press, 1986. 371 pp., \$45.00.
- Kramer, Abe. *The Kibbutz Inns of Israel*. A Personal Odyssey. New York: Hippocrene Books, Inc., 1986. 120 pp., \$6.95 (paper).

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- Prager, Dennis & Joseph Telushkin. *The Nine Questions People Ask About Judaism*. New York: Simon & Schuster, Inc., 1986. 218 pp., \$7.95 (paper).



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Caseley, Judith. *When Grandpa Came to Stay*. New York: Greenwillow Books, 1986. \$11.75.

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Walden, Daniel, ed. *Studies in American Jewish Literature*. Vol. 5. The Varieties of Jewish Experience. Albany, N.Y.: SUNY Press, 1986. 163 pp., \$12.95.

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Pitzele, Sefra Kobrin. *We Are Not Alone*. Learning to Live With Chronic Illness. Minneapolis, Minn.: Thompson & Co., Inc. iv + 306 pp., \$14.95 (paper).

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Arfa, Cyrus. *Reforming Reform Judaism*. Tel Aviv: University Publishing Projects, 1985. 240 pp.

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Netanyahu, Benjamin, ed. *Terrorism. How the West Can Win*. New York: Farrar-Straus-Giroux, 1986. xv + 254 pp., \$18.95.

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Nicholson, Ernest W. *God and His People*. New York: Oxford Univ. Press, 1986. 217 pp., \$36.00.

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